



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.01.2020

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No.15802 of 2018
and W.M.P.No.18779 of 2018

1. B.G.Manjula
2. B.Chandravarma
3. B.Samrat
4. Sowmya
5. K.Govindasamy

.. Petitioners

..Vs..

1. The District Registrar,
Krishnagiri.
2. The Sub Registrar,
Hosur,
Krishnagiri District.
3. The Inspector of Police,
HUDCO police Station,
Krishnagiri District.
4. R.Ramakrishnan

.. Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 and 2 not to register any documents on production by the 4th respondent in relating to Survey No.883/1 of Nallur Village, Hosur Taluk, Krishnagiri District till the completion of criminal investigation in Cr.No.91 of 2018 on the file of the 3rd respondent.

For Petitioners

: Mr.R.Ezhilarasan

For Respondents

: Mr.T.M.Pappiah,
(for R1 and R2)
Special Government Pleader
Mrs.P.Rajalakshmi (for R3)
Additional Government Pleader



O R D E R

The matter has been pending for more than a year. Unfortunately, notice was not directed to the 4th respondent. At any rate, since the present order does not prejudice the interest of the 4th respondent, I hold that it would not be appropriate to keep the writ petition pending no longer. Orders are passed in the main writ petition itself.

2. The writ petition has been filed in the nature of Mandamus directing the 1st and 2nd respondents namely the District Registrar, Krishnagiri and the Sub Registrar, Hosur, Krishnagiri District not to register any document on production by the 4th respondent namely R.Ramakrishnan residing at 18, 19, 3rd main road, Eswari Garden, Hosur, Krishnagiri District with respect to the lands in Survey No.883/1, Nallur Village, Hosur Taluk, Krishnagiri District.

3. The petitioners herein and the said 4th respondent both are directly or rather indirectly related to each other. They have several legal disputes with respect to possession and title of lands and also with respect to proceedings under Section 145 of Cr.P.C., which is now being adjudicated by the Sub Collector, Krishnagiri District and also with respect to Crime No.10 of 2018 which had been stayed by the orders of this Court in Criminal Original proceedings.

4. Be that as it may, the Court cannot pass any direction to the 1st and 2nd respondent not to register any document, if the document is presented for registration is correct in all other respects. They also cannot deny registration. However, there is a duty cast to the 2nd respondent to enquire into any representation received seeking the 2nd respondent from not registering any document presented for registration.

5. It is claimed by the learned counsel for the petitioners that an advocate notice was independently issued on 07.05.2018 to the 1st and 2nd respondents, calling upon them not to register any document with respect to Survey No.883/1 of Nallur Village, Hosur Taluk, Krishnagiri District in Patta No.58 measuring 2.37 acres in Nallur Village. It would be only in the interest of the parties that a fresh representation is given to the 2nd respondent primarily and also to the 1st respondent, if they think it necessary and all the factual details and the reason why any document if presented either by the 4th respondent or through his agent should not be registered by the 2nd respondent. If any document is then presented for registration, the 2nd respondent is directed to issue notice to the petitioners and



enquire all the parties by following the principles of natural justice and then pass recent orders.

6. The fresh representations of the petitioners shall be submitted before the 2nd respondent, on or before 23.01.2020.

7. The writ petition is disposed of with the above terms. Consequently, connected miscellaneous petition is closed. However, there shall be no order as to costs.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

vum
To

1. The District Registrar,
Krishnagiri.
2. The Sub Registrar,
Hosur,
Krishnagiri District.
3. The Inspector of Police,
HUDCO police Station,
Krishnagiri District.

+1 cc to Mr.R.Ezhilarasan Advocate sr155
+1 cc to the Government Pleader sr1341

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aa13/01/2020