



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **08.10.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **S. VAIDYANATHAN**

W.P (MD)No.13986 of 2020

and

W.M.P (MD)No.11639 of 2020

WEB COPY

Narayanan

... Petitioner

Vs.

1.The District Registrar,
Karaikudi.

2.The Sub-Registrar,
Joint - 1 Sub Registration Office,
Karaikudi.

3.RM.Alamelu

4.RM.Muthammal

5.RM.Arun Swaminathan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari calling for the records pertaining to the impugned order passed by the 1st respondent in Na.Ka.No.1633/A1/2020, dated 10.09.2020 and quash the same.

For Petitioner

: Mr.M.S.Parthiban

For R1 & R2

: Mr.K.Sathya Singh

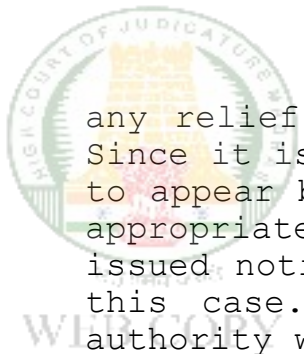
Additional Government Pleader

ORDER

This Writ Petition is filed challenging the impugned order passed by the 1st respondent in Na.Ka.No.1633/A1/2020, dated 10.09.2020.

2.Heard the learned Counsel appearing for the petitioner and Mr.K.Sathya Singh, learned Additional Government Pleader, who took notice for the respondents 1 and 2. By consent, the writ petition is taken up for disposal at the admission stage itself.

3.It is seen from the perusal of the affidavit filed in support of this petition that the petitioner is trying to convert a civil dispute into one as Writ Petition. The order impugned in this Writ Petition is only a notice of enquiry sent by the first respondent calling for the petitioner in person along with relevant records for the enquiry. However, this Court is of the view that the dispute between the petitioner and the fifth respondent is a civil dispute and the Civil forum alone has got jurisdiction to decide the issue. Therefore, this Court is not inclined to grant



any relief as sought for by the petitioner in this Writ Petition. Since it is a notice of enquiry, it is open to the parties concerned to appear before the authority and work out their remedy before the appropriate civil forum. The issue whether the authority, who has issued notice, has got jurisdiction or not, cannot be gone into in this case. As the dispute appears to be a civil dispute, the authority who issued notice, may not have any right to deal with the same. The petitioner may place his objection before the authority concerned and the authority concerned shall take a decision within a period of 30 days after calling the parties to appear in person.

4. In view of the above, no relief can be granted to the writ petition and this Writ Petition is dismissed. No costs. However, it is made clear that the observation if any made touching the merits of the matter above is only for the disposal of this Writ Petition. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

SRM

To

1. The District Registrar,
Karaikudi.

2. The Sub-Registrar,
Joint - 1 Sub Registration Office,
Karaikudi.

+1 CC to M/s.SPL GP (SR-19576[F] dated 09/10/2020)

W.P (MD) No.13986 of 2020
08.10.2020

VR (CO)

KB (09.11.2020) 2P 4C