



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2021

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THE HON'BLE MRS.JUSTICE PUSHPA SATHYANARAYANA
AND
THE HON'BLE MR.JUSTICE KRISHNAN RAMASAMY

W.A.No.1466 of 2021

K.S.Shivakumaran

... Appellant

Vs.

- 1.The Inspector General of Registration,
Department of Registration,
No.100, Santhome High Road,
Chennai - 600 028.
- 2.The Deputy Inspector General of Registration,
Office of the DIG Registration,
Near DSP Rountana,
Velapadi,
Vellore - 632 001.
- 3.The District Registrar,
Office of District Registrar,
Cheyyar, 604 407,
Thiruvannamalai District.
- 4.The Sub Registrar,
Registrar Office,
Arani - 632 301,
Thiruvannamalai District.

... Respondents

Prayer: Writ Appeal filed under clause 15 of Letter Patents Act,
filed praying to set aside the final order dated 11.11.2020 in
W.P.No.15861 of 2020 passed by the learned Single Judge.

Prayer in W.P.No.15861/2020:

Petition filed under Article 226 of the Constitution of
India, praying for issuance of Writ of Mandamus, directing the
1st and 2nd Respondents to conduct an enquiry against the fourth
Respondent in respect of Document No. 25 of 2015 on the file of
the fourth Respondent.



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For Appellant : Mr.R.Karthik

For Respondents: Mr.C.Jayaprakash
Government Advocate

JUDGMENT

(delivered by MRS.PUSHPA SATHYANARAYANA.J.,)

The writ petitioner in W.P.No/15861 of 2010 is the appellant herein, challenging the order passed by a learned Single Judge of this Court, refusing to issue a writ of mandamus, as sought for therein.

2. The writ petitioner filed the writ petition, seeking a direction to the respondents 1 and 2 to conduct an enquiry against the Sub Registrar, Arni / fourth respondent herein in respect of Document No.25/15, which has been registered on the file of the fourth respondent.

3. The allegation of the appellant is that the fourth respondent had committed certain irregularities in respect of the document, submitted by him for registration. It is also alleged by the appellant that the fourth respondent / Sub Registrar had made some mutation in the records without verifying the documents. The appellant also seems to have filed a criminal complaint, lodged with Thiruvannamalai Police Station in the year 2018.

4. The appellant has also filed a civil suit in O.S.No.210 of 2013 against the defendants therein as well as the Indian Bank, Vellore for declaration of his title over the agricultural lands, which he has purchased in the year 1991 and has also sought for permanent injunction restraining the defendants from interfering with his possession. The fourth respondent / Sub Registrar has also been impleaded in the suit by order dated 29.04.2014 in I.A.No.252 of 2014. He filed another suit in O.S.No.50 of 2019 before the District Munsif, Arni along with injunction petition and obtained an order of injunction on 22.04.2019 in I.A.No.207 of 2019.

5. It is stated by the appellant that in the same registration number, two more documents have been filed before the fourth respondent. However, he is unable to say what was the said two documents. Though the learned counsel for the appellant would state that he wants only clarification from the Sub Registrar / fourth respondent, he is unable to explain as to what is the clarification he has sought for. The appellant also moved the Civil Court, making the fourth respondent as a party. He cannot avail extraordinary jurisdiction of this Court under



Article 226 of the Constitution of India, seeking a mandamus to direct him to give clarification. The appellant himself is not clear about what clarification he wants.

6. As the appellant already filed two civil suits, which are pending and ripe for trial, it is open to him to work out his remedy and get appropriate relief whatever he has sought for.

7. Learned Single Judge also found that the appellant having moved Civil Court and made criminal complaint against the fourth respondent, he will not be entitled to get a direction from a writ Court in order to settle his personal scores with the fourth respondent.

8. Thus, the learned Single Judge has rightly dismissed the writ petition and there is no bona fide in the claim of the writ petitioner. Therefore, we find that there is no infirmity or illegality in the order passed by the learned Single Judge.

9. The writ appeal is dismissed as devoid of merits. No costs. The order passed by us or by the learned Single Judge will not, in any way, influence the disposal of the suits on merits.

s/d-
Assistant Registrar(CS V)

True Copy

Sub-Assistant Registrar

sr/rst
To:

- 1.The Inspector General of Registration,
Department of Registration,
No.100, Santhome High Road,
Chennai - 600 028.
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Thiruvannamalai District.



4.The Sub Registrar,
Registrar Office,
Arani - 632 301,
Thiruvannamalai District.

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+1 CC to Mr.R.Karthik, Advocate sr 28909.
+1 CC to The Government Pleader sr 29049.

W.A.No.1466 of 2021

GPL(CO)
SP(16/07/2021)