

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2021

CORAM: JUSTICE N.SESHASAYEE

W.P.No.5305 of 2021 and
W.M.P.No.5864 of 2021

B.Raajendra Raaja

...Petitioner

-Vs-

- 1.The Inspector General of Registration,
Santhome High Road, Chennai 600 004.
- 2.The District Collector,
Collectorate Complex, Tiruvallur 602 001.
- 3.The District Registrar (Chennai South),
District Registrar Office,
Saidapet, Chennai 600 015.
- 4.The Sub Registrar,
Avadi Sub Registrar Office,
Avadi, Chennai 600 054.

5.K.R.Saradha

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the fourth respondent herein not to entertain or encumber any registration of any documents by the fifth respondent herein or her men in respect of the properties comprised in S.No.507 and 514 of Morai Village, Avadi Taluk, Tiruvallur District without obtaining due permission from the second respondent as mandated in the instructions issued by the first respondent in his Circular No.க.எண்/50362/ஆர்3/10 dated 30.08.2010.

For Petitioner : M/s.My Lord Law Associates

For Respondents : Mr.T.M.Pappiah, SGP for RR1,3 & 4
Mr.M.Manigopi, GA for R2

ORDER

This Writ Petition is filed for a writ of Mandamus, to direct the fourth respondent herein not to entertain or encumber any registration of any documents by the fifth respondent herein or her men in respect of the properties comprised in S.No.507 and 514 of Morai Village, Avadi Taluk, Tiruvallur District without obtaining due permission from the second respondent as mandated in the instructions issued by the first respondent in his Circular No.க.எண்/50362/ஆர்3/10 dated 30.08.2010.

2. The learned counsel for the petitioner submitted that the petitioner is an inamdar of the said property, and already a circular dated 30.08.2010, was issued by the Inspector General of Registration, the first respondent herein, where under, he has given instructions to the Sub Registrar, not to register any document without the permission of the District Collector. The learned counsel for the petitioner submitted that only to implement this, the petitioner seeks direction.

3. Mr.T.M.Pappiah, learned Special Government Pleader entered appearance for the respondents 1, 3 & 4. Mr.M.Manigopi, learned Government Advocate entered appearance for R2.

4. Broadly, it may be stated that this Court cannot direct the statutory authority not to perform his statutory responsibilities. Secondly, if the Inspector General of Registration has already issued a circular / instructions dated 30.08.2010, to the Sub Registrar, then, there is no need arises for his Court to separately direct the implementation of the said circular by the Sub Registrar. Thirdly, if the petitioner finds any threat to his title, his only remedy is to approach the appropriate Civil Court for appropriate direction.

5. At this juncture, the learned counsel for the petitioner opted to withdraw the present writ petition. The learned counsel for the petitioner is now permitted to withdraw this writ petition.

6. Accordingly, the present writ petition is dismissed as withdrawn. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

- 1.The Inspector General of Registration,
Santhome High Road, Chennai 600 004.
 - 2.The District Collector,
Collectorate Complex, Tiruvallur 602 001.
 - 3.The District Registrar (Chennai South),
District Registrar Office, Saidapet, Chennai 600 015.
 - 4.The Sub Registrar,
Avadi Sub Registrar Office, Avadi, Chennai 600 054.
- +1cc to The Government Pleader SR.NO..15194
AKM/01.04.21/ 2P-6C/

Order made in
W.P.No.5305 of 2021 and
W.M.P.No.5864 of 2021