



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2021

CORAM

THE HON'BLE Mr. JUSTICE G.K.ILANTHIRAIYAN

WP.No.25819 of 2013 and
MP.No.1 of 2013

Ramachandran

...Petitioner

Vs

1. The District Registrar,
Chengalpattu Registration District,
Having Office at the premises of
District Registration Office,
No.17, Rajaji Street,
Chengalpattu Town and Taluk,
Kancheepuram District
2. Suresh
3. Ramesh @ Venkatesan
4. Maheswari
5. Devayyan
6. Dinesh Kumar
7. Nagalakshmi
8. Chandran

...Respondents

Prayer :- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the first respondent not to conduct the enquiry in proceeding vide Na.Ka.No.524/a1/2013 on the file of the first respondent.

For Petitioner : Mr.K.Selvamani

For Respondents

For R1 : Mr.M.R.Gokul Krishnan,
Government Advocate

For R2to8 : Mr.K.G.Senthilkumar

ORDER

This Writ Petition is filed to issue a writ of mandamus directing the first respondent not to conduct the enquiry in proceeding vide Na.Ka.No.524/a1/2013 on the file of the first respondent.

2. It is seen that the respondents 2 to 8 have lodged complaint as against the petitioner in respect of the mortgage



deed executed on the file of the Sub Registrar, Sriperumbudur without having any title over the property and requested to cancel the same. On receipt of the same, the first respondent issued notice to the petitioner dated 08.08.2013 calling upon the petitioner to appear for enquiry to be held on 19.08.2013.

3. The learned counsel for the petitioner submitted that in this regard the petitioner has filed suit for partition before the Sub Court, Kancheepuram in OS.No.30 of 2012 and till the disposal of the said suit, the first respondent may be directed not to enquire the complaint. Admittedly, the said suit is for partition and it is nothing to do with the complaint lodged by the respondents 2 to 8 herein. Therefore, this Court finds no merits in this writ petition and the writ petition is liable to be dismissed. However, the first respondent is directed to issue fresh notice to the petitioner and parties concerned and after giving them opportunity of hearing and pass orders on merits and in accordance with law.

4. With the above direction, this writ petition is dismissed. Consequently, connected miscellaneous petition is closed. No order as to costs.

Sd/-
Assistant Registrar(CS II)

/True Copy//

Sub Assistant Registrar

lok

To

The District Registrar,
Chengalpattu Registration District,
Having Office at the premises of
District Registration Office,
No.17, Rajaji Street,
Chengalpattu Town and Taluk,
Kancheepuram District

+1cc to the Government Pleader, S.R.No.51964

WP.No.25819 of 2013

NR[co]
NSK 01/11/2021