



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.07.2021

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THE HON'BLE MR. JUSTICE M.M.SUNDRESH  
AND  
THE HON'BLE Ms. JUSTICE R.N.MANJULA

W.A.No.1478 of 2021  
and  
C.M.P.No.9381 of 2021

M.Subramania Reddy

.... Appellant/Petitioner

Vs.

1. The Inspector General of Registration,  
Department of Registration,  
Santhome,  
Chennai.
2. The District Registrar,  
Vellore,  
Vellore District.
3. The Sub Registrar Joint I,  
Office of Registrar,  
Arakonam,  
Vellore District.
- 4.N.Anusuya
- 5.N.Baskaran
- 6.The Superintendent of Police,  
Arakonam,  
Arakonam District.

.... Respondents/Respondents

Prayer :- Writ Appeal filed under Clause 15 of the Letters Patent, praying to set aside the Order dated 25.01.2001 in W.P.No.252 of 2016.

Prayer :- WP.NO.252/2016.

Petitions Under Artical 226 of the Constitution of India Praying this Court pleased to issue a writ of mandamus or any other order in the nature of writ of mandamus Directing the respondents 1 to 3 to strike off the settlement deed dated



26.08.2015 bearing Document No. 4855 / 2015 on the file of 3rd respondent and to initiate appropriate criminal proceedings against respondents 4 and 5 under Section. 83 of the Tamil Nadu Registration Act and Circular No. 67/2011 on the file of 1st respondent WP.NO.252/2016.

For Appellant : Mr.R.Rajarajan

For Respondents : Mr.D.Ravichander

Government Counsel [RR1 to 3 & 6]

No Appearance [RR4 & 5]

#### JUDGEMENT

(Heard through video conferencing)

(Judgement of the Court was made by M.M.SUNDRESH, J.)

The Writ Appeal before us lies in a very narrow campus. This is with respect to the remarks made against the Apellant by the learned single Judge while issuing notice to the 6<sup>th</sup> respondent, who was directed to be impleaded by the Order dated 25.01.2001.

2. As the impleadment has taken place coupled with the fact that the learned single Judge in exercise of powers under Article 226 of the Constitution of India, felt the presence of the respondent 6 is necessary for appropriate adjudication of the matter, we do not wish to interfere with the same. However, the remarks made in paragraph No.4, in our considered view, are not required.

3. Admittedly, the private respondents are parties before the learned single Judge since they have been arrayed as such, in the writ petition. Even before us, they have not appeared despite notice served and names printed in the cause list. The issues will have to be decided only by way of an adjudication. Therefore, such remarks especially while calling for the instructions from the 6<sup>th</sup> respondent has been sought for, are uncalled for.

4. In such view of the matter, we are setting aside the Order passed by the learned single Judge dated 25.01.2021 as regards the specific observation made in paragraph No.4. We make it clear that except in regard to the observation made by the learned single Judge while ordering impleadment of the 6<sup>th</sup> respondent, the Order of the learned single Judge is confirmed. Neither the Order of the learned single Judge nor the Order



passed in this Appeal will have any bearing in other proceedings.  
In view of the above, this Writ Appeal stands allowed. No costs. Connected civil miscellaneous petition is closed.

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Sd/-  
Assistant Registrar(CO-)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector General of Registration,  
Department of Registration,  
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Chennai.
2. The District Registrar,  
Vellore,  
Vellore District.
3. The Sub Registrar Joint I,  
Office of Registrar,  
Arakonam,  
Vellore District.
4. The Superintendent of Police,  
Arakonam,  
Arakonam District.

+1cc to the Government Pleader, High Court S.R.No.36589

W.A.No.1478 of 2021

GP(CO)  
CT(19/08/2021)