



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.08.2021

CORAM

THE HON'BLE MR. JUSTICE SETHILKUMAR RAMAMOORTHY

W.P. (MD) No.13520 of 2021

WEB COPY

D.Renuga

... Petitioner

Vs.

1.The Inspector General of Registration,
Registration Department,
Santhome Road,
Chennai.

2. The District Registrar,
Registration Department,
Dindigul.

3. The Sub Registrar,
Natham,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent particularly second respondent to conduct an enquiry over the Registration of document No. 2502/2012 dated 21.09.2012 and consider the petitioner's representation dated 29.04.2021.

For Petitioner : Mr. S.Sivakumar
For Respondents : Mr. P.Subbaraj
Counsel for State Government

O R D E R

The petitioner seeks an inquiry with regard to the registration of document No.2502 of 2012 on 21.09.2012 on the basis of representation dated 29.04.2021.

2. The petitioner states that there are four branches of the family of Periyampillai and that each branch is entitled to 202 Sq.ft in the 808 sq.ft property bearing Survey No.354/4. The petitioner alleges that one Mr.P.P.Ganesan, a neighbour, purchased 505 sq.ft of the property in the aforesaid Survey number by fraudulently having a Sale Deed registered on 21.09.2012. Therefore, the present petition is filed for a direction to the second respondent to conduct an inquiry.

3. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of the respondents 1 to 3.



4. The documents on record indicate that the petitioner has instituted a civil suit in O.S.No.270 of 2017 inter alia against the 4th respondent herein. In the said suit, the petitioner has sought a declaration in respect of her title over the property bearing Survey No.354/4. The said suit is admittedly pending.

5. Given the fact that there is a title dispute as between the petitioner and the fourth respondent, which is the subject matter of a civil suit, no purpose would be served by directing the second respondent to conduct an inquiry into a document registered as early as on 21.09.2012. However, it is always open to the petitioner to seek cancellation of the aforesaid sale deed in accordance with law.

6. Accordingly, W.P.(MD).No.13520 of 2021 is disposed of with the above observation and without any order as to costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sbn

To

1.The Inspector General of Registration,
Registration Department,
Santhome Road,
Chennai.

2. The District Registrar,
Registration Department,
Dindigul.

3. The Sub Registrar,
Natham,
Dindigul District.

+1 CC to M/s.S.SIVA MUMAR, Advocate (SR-25570[F] dated 06/08/2021)

+1 CC to M/s.GP (SR-25532[F] dated 06/08/2021)

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