



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE C.V. KARTHIKEYAN

W.P.[MD].No.18460 of 2021

WEB COPY

Jayapandi

... Petitioner

Vs.

- 1.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai-28.
- 2.The Deputy Inspector,
General of Registration,
Integrated Registration Office,
Rajakambiram,
Y.Othakadai,
Madurai District.
- 3.The District Registrar (Administration)
Registration Department,
Ramanathapuram.
- 4.The Sub-Registrar,
Registration Department,
Abiramam,
Ramanathapuram.
- 5.Nagalingam
- 6.Rasuthevar
- 7.Thangavelu
- 8.Senthivel
- 9.UmaRani

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the third respondent to expeditiously complete the enquiry and pass final order in Na.Ka.No.100/A1/2021 dated 26.03.2021, pending before the third respondent in accordance with law within the time stipulated by this Court.

For Petitioner
For Respondents

: Mr.S.Ramesh Kumar
: Mr.S.Kameswaran
Government Advocate for RR1 to 4
Mr.A.A.Victoria for R6
Mr.Raja Karthikeyan for R9
No-appearance for R5 and R8
R7-Died



O R D E R

I am conscious, while passing this order that it was informed that the seventh respondent is dead. But, it should be stated that the seventh respondent is the defendant in O.S.No.3 of 2016 now pending before the District Munsif Court, Kamuthi, which had also been filed by the petitioner with regard to the very same property. It is, thus, seen that surrounding the same issues, not only the suit, but another a proceedings before the third respondent are pending. Further, the present writ petition is for a direction to the third respondent to complete the enquiry, which is pending and pass final orders.

2. The third respondent may keep in mind that the seventh respondent is dead and therefore, should not commit any mistake, while passing the orders which affects the rights of the parties, if orders are passed as against a dead person. It is also seen that during the course of trial, the seventh respondent, who is reported dead, has actually given evidence as D.W.3.

3. In view of the above facts, it is only prudent that this Court does not pass any effective orders but rather leave it to the third respondent to pass orders. A caution is again laid in the door steps of the third respondent that the seventh respondent is dead. The third respondent, therefore, may pass appropriate orders keeping that particular fact in mind. Let the suit proceed and the third respondent may also pass necessary orders.

4. With the above directions, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (Cr1.Side)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ssb

To

1.The Inspector General of Registration,
No.100, Santhome High Road, Chennai-28.

2.The Deputy Inspector,
General of Registration,
Integrated Registration Office,
Rajakambiram, Y.Othakadai,
Madurai District.



3.The District Registrar (Administration)
Registration Department,
Ramanathapuram.

4.The Sub-Registrar,
Registration Department,
Abiramam,
Ramanathapuram.

+1 CC to M/s.RAJA KARTHIKEYAN, Advocate (SR-37809[F]
dated 08/12/2021)

+1 CC to M/s.SPL GP (SR-37591[F] dated 07/12/2021)

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SRK(CO)
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