



WEB COPY



W.P.No.21346 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.21346 of 2015

- 1.Mahboob Basha
- 2.Niyamathullah
- 3.Rahimanullah
- 4.Rahimullah
- 5.Ghayazhullah

Represented by their Power of Attorney Agent
Y.Akbar Ahmed

... Petitioners

Vs.

1.The Inspector of General of Registration,
Santhome,
Chennai – 600 028.

2.The District Registrar,
South Chennai Joint II,
Saidapet,
Chennai – 600 015.

3.Shabuddin

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to
issue a Writ of Mandamus directing the second respondent to take



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suitable action based on the letter No.16270/U1/2014, dated 26.08.2014 issued by the first respondent and also to consider the petitioner's representation dated 16.05.2015 herein.

For Petitioners : Mr.N.Sudharsan

For Respondents : Mr.G.Krishna Raja
Additional Government Pleader
Mr.I.Abrar MD.Abdullah for R3

O R D E R

The petitioners have filed this writ petition seeking issuance of Writ of Mandamus directing the second respondent to take suitable action based on the letter No.16270/U1/2014, dated 26.08.2014 issued by the first respondent and also to consider the petitioner's representation dated 16.05.2015.

2.The learned counsel appearing for the petitioners submitted that the petitioners through their Power of Attorney Agent Y.Akbar Ahmed made complaint to the first respondent as against the third respondent in terms of Circular No.67/11, dated 03.11.2011 issued by the first respondent and the first respondent after conducting enquiry sent a letter dated 26.08.2014 to the second respondent for taking action. Thereafter, the Power of Attorney Agent of the petitioners



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also made representation to the second respondent, however, the second respondent did not pass any orders. Hence, the petitioners have filed this writ petition.

3.The learned counsel appearing for the petitioners further submitted that the Circular of the Inspector General of Registration dated 03.11.2011 in Circular No.67/11 was withdrawn on 20.10.2017 and hence, nothing survives for adjudication in this writ petition. However, liberty may be granted to the petitioners to work out the remedy in the manner known to law.

4.The learned counsel appearing for the third respondent submitted that already the third respondent instituted suit and the suit was decreed in favour of the third respondent.

5.Originally, the petitioners made complaint to the first respondent as against the third respondent in terms of Circular No.67/11, dated 03.11.2011 issued by the first respondent and the first respondent after conducting enquiry sent a letter dated 26.08.2014 to the second respondent for taking action, however, the second respondent did not pass any orders.



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6. During the pendency of this writ petition, the Circular of the Inspector General of Registration dated 03.11.2011 in Circular No.67/11 was withdrawn on 20.10.2017. Hence, the relief sought for in this writ petition has become infructuous.

7. In view of the above, this writ petition is dismissed. However, liberty is granted to the petitioners to work out the remedy in the manner known to law. No costs.

20.10.2022

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Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No

To

1. The Inspector of General of Registration,
Santhome,
Chennai – 600 028.
2. The District Registrar,
South Chennai Joint II,
Saidapet,
Chennai – 600 015.



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M.DHANDAPANI,J.
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