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W.P.No.5895 OF 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.5895 of 2015

V.S.Palanivel

...Petitioner

VS.

1. The Sub Registrar,
Pallavaram Sub Registrar Office,
Chennai – 600 044.

2. K.Chandra

3. L.Jothi

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records of the impugned order passed by the first respondent in proceeding No.P 411/2014 dated 19.01.2015 quash the same consequently direct the first respondent to register the petitioner's document and release the same within stipulated time.

For petitioner : M/s.N.Subramani

For R1 : Mr.G.Krishna Raja
Additional Governmentr Pleader

For R2 and R3 : Mr.A.Arumugam



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ORDER

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This writ petition has been filed seeking for issuance of a Writ of Certiorarified Mandamus to quash the impugned order passed by the first respondent in proceeding No.P 411/2014 dated 19.01.2015 and consequently direct the first respondent to register the petitioner's document and release the same within stipulated time.

2. The case of the petitioner is that originally the property bearing S.No.91/2 to an extent of 96 cents situated in Zamin Pallavaram Village, Tambaram Taluk, Kancheepuram District belonged to one Annammal. After her demise, the legal heirs of said Annammal divided the said property into equal shares and they executed Power of Attorney in favour of the petitioner. Thereafter, the petitioner on the strength of the Power of Attorney executed by the legal heirs of said Annammal, sold a plot No.10 admeasuring 1200 sq.ft. in favour of one Jamuna Rani on 05.12.2014. When the said sale deed was presented for registration before the first respondent, the same was refused to be registered vide proceedings dated 19.01.2015, without any proper reason. Challenging the same the present writ petition has been filed



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seeking the aforesaid relief.

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3. Learned counsel appearing for the petitioner submits that despite the continuous efforts made by learned counsel for the petitioner, there was no instructions from the petitioner.

4. The learned counsel appearing for the first respondent submits that already for the very same dispute the petitioner filed a suit in O.S.No.977 of 2012 and another suit in O.S.No.973 of 2012 on the file of District Munsif Court, Alandur and the same were dismissed on 12.08.2022. In view of the above, this writ petition has become infructuous.

5. In view of the submission made by learned counsel appearing for the first respondent, which is not disputed on behalf of the petitioner no further adjudication is necessary in the present writ petition. However, liberty is granted to the petitioner to workout his remedy in the manner known to law, if aggrieved any further. Accordingly, this writ petition is disposed of. There shall be no order as to costs.



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RAP

Index : Yes/No
Speaking order : Yes/No

To

The Sub Registrar,
Pallavaram Sub Registrar Office,
Chennai – 600 044.

M.DHANDAPANI, J.

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