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W.P.Nos.16726, 16733, 16729 and 17110 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2022

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.Nos.16726, 16733, 16729 and 17110 of 2022
and W.M.P.Nos.16033, 16042, 16036 and 16407 of 2022

C.Srinivasa Reddy

...Petitioner
(In WP.16726/22)

N.Srinivasa Reddy

...Petitioner
(In WP.16733/22)

M.Ravindra Reddy

...Petitioner
(In WP.16729/22)

Dr.K.C.Chinna Muni Reddy

...Petitioner
(In WP.17110/22)

Vs.

1.The Inspector General of Registration,
100, Santhome High Road,
Chennai-600028.

2.The District Registrar (Administration),
Office of the District Registrar,
Thiruvannamalai Road,
Krishnagiri Town and Post,
Krishnagiri District-635001.

3.The Sub Registrar,
Office of the Sub Registrar,
Post Office Road,
Hosur-635109.

4.Raja Reddy

...Respondents
(In all WP's)



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Common Prayer:

Petitions filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents 1 to 3 to delete the registration entries pertaining to Doc.No.4325, 4324, 4326 and 2021 dated 03.03.2021 and Doc.No.9485 of 2022 dated 21.05.2022 reflected in the encumbrance certificate in relation to the subject properties, within a time frame fixed by this Court.

For Petitioner : Mr.Sricharan Rangarajan
for Mr.K.Gowtham Kumar

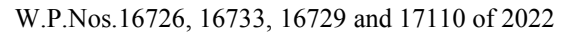
For Respondents : Mr.Yogesh Kannadasan (for R1 to R3)
Special Government Pleader

: Mr.G.M.Anantha Kumar (for R4)

. . . In all W.P's

COMMON ORDER

The petitioners have filed these writ petition seeking issuance of Writ of Petitions filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents 1 to 3 to delete the registration entries pertaining to Doc.No.4325, 4324, 4326 and 2021 dated 03.03.2021 and Doc.No.9485 of 2022 dated 21.05.2022 reflected in the encumbrance certificate in relation to the subject properties, within a time frame fixed by



2. The learned Government Advocate takes notice for the official
ndent. In view of the consent expressed by the learned counsel
ring for either side, this petition is taken up for final disposal.

3. Since no adverse order is being passed as against the private respondent, notice to the private respondent is dispensed with.

4. The learned counsel for the petitioners submitted that there is a property dispute between the family members of the petitioner and the private respondent, for which already the petitioner had filed a suit in O.S.No.54 of 1999 and 94 and 95 of 2004 respectively on the file of District Munsif, Hosur and the said suits were decreed in favour of the petitioners on 23.12.2014. Against which the private respondent had filed an appeal in A.S.Nos.8,9,10 of 2015 before the Additional Subordinate Court, Hosur. The lower appellate court set aside the decree and remanded the matter back to the lower court vide its order dated 11.01.2021. Aggrieved by the said order, the petitioners filed C.M.A before this Court in C.M.A.Nos.1150,



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1162 and 1165 of 2021. This Court confirmed the order of the lower appellate Court on 06.01.2022, against which the petitioner filed SLP before the Hon'ble Apex Court in S.L.P.Nos.8262 to 8264 of 2022. The Hon'ble Apex Court granted interim stay on 09.05.2022. Whiles, the private respondents registered the lower appellate court order and this Court order vide Doc.No.4325, 4324, 4326 and 2021 dated 03.03.2021 and Doc.No.9485 of 2022 dated 21.05.2022. Challenging the said registrations, the petitioners have filed the present writ petition with the aforesaid prayer.

5. The learned counsel appearing for the petitioners submitted that registration of the said lower appellate court order and this Court order is contrary to the provisions of Section 23 of the Registration Act and is not a sustainable one. It is his further submission that it would suffice if this Court issues direction to the respondent to delete the entries of Doc.No.4325, 4324, 4326 and 2021 dated 03.03.2021 and Doc.No.9485 of 2022 dated 21.05.2022.

6. The learned counsel appearing on behalf of the private respondent submitted that he has no objection in deleting the entries and this Court may



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direct the petitioner not to alienate the property till the disposal of the SLP's.

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7. Taking into consideration the facts and circumstances of the case and also the fair stand taken by the learned counsel for the private respondent, this Court directs the 3rd respondent to delete the entries of Doc.No.4325, 4324, 4326 and 2021 dated 03.03.2021 and Doc.No.9485 of 2022 dated 21.05.2022, within a period of two weeks from the date of receipt of a copy of this order. The petitioner is restrained from alienating the property or make any encumbrance on the same, till the disposal of SLP Nos.8262 to 8264 of 2022.

8. These writ petitions are disposed of, with the above directions. No costs. Liberty is granted to the petitioner as well as the private respondent to work out the remedy in the manner known to law, subject to the outcome of the orders in the SLP's. Consequently, connected miscellaneous petitions are closed.

05.09.2022

Speaking Order : Yes/ No
Index : Yes/ No

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psa

M.DHANDAPANI,J.

psa

To

- 1.The Inspector General of Registration,
100, Santhome High Road,
Chennai-600028.
- 2.The District Registrar (Administration),
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Thiruvannamalai Road,
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