



W.P.No.7287 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2022

CORAM

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

W.P.No.7287 of 2017

P.Meyyan

...Petitioner

Vs.

1. The Inspector General of Registration,
Office of the Inspector General of Registration,
No.100, Santhome Main Road,
Pattinapakkam, Chennai – 600 028.
2. The District Registrar (Admin),
Office of the District Registrar,
Ariyalur Registration District,
Ariyalur.
3. The Sub-Registrar,
Office of the Sub Registrar,
Chettikulam, Alanthur Taluk,
Parambalur District.
4. Manoharan
- 5.C.Muthukrishnan
6. Ranimani

...Respondents



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WEB COPY Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the impugned order of the first respondent dated 21.12.2016 in his proceedings bearing No.43849/U1/2016 and to quash the same.

For Petitioner : Mr.G.Ilamurugu

For R1 to R3 : Mr.U.Bharanidharan
Additional Government Pleader

ORDER

The petitioner has filed this Writ petition seeking issuance of a Writ of Certiorari to quash the impugned order of the first respondent dated 21.12.2016 in his proceedings bearing No.43849/U1/2016.

2. The case of the petitioner is that he purchased the properties in S.Nos.19/1A, 25/1, 25/2, 39/1, 39/3A and 25/3 to an extent of 14 acres 46 cents situated in Nakkasalem Village, Alathur Taluk, Perambalur District from one Dhanam, Venkatesan, Prabhu and Senthilkumar and the Revenue Records were mutated in favour of the petitioner. While that being so, the



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sixth respondent executed a sale deed in favour of respondents 4 and 5 in respect of the aforesaid properties. Hence the petitioner made representations before the second and third respondents to cancel the aforesaid fraudulent documents which remained unanswered. While so, the petitioner filed a writ petition in W.P.No.30182 of 2015, wherein this Court vide order dated 25.09.2015 directed the second respondent to consider the petitioner's application and to pass appropriate orders within a period of eight weeks, pursuant to which, the second respondent rejected the petitioner's application vide proceedings dated 18.01.2016. Aggrieved over the same the petitioner preferred an appeal before the first respondent, and the same was dismissed vide proceedings dated 21.12.2016 stating that the appeal preferred by the petitioner is not maintainable and the same can only be adjudicated before the competent civil Court. Challenging the same the present writ petition has been filed seeking the aforesaid relief.

3. Though very many grounds have been raised by the learned counsel on either side at the time of arguments, however, when this Court expressed its opinion that, the issue involved in the present case pertains to disputed questions of facts and is purely a civil dispute between the



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petitioner and the private respondents and the same cannot be entertained under Article 226 of the Constitution, the learned counsel for the petitioner restricted his prayer and sought permission of this Court to file appropriate Suit before the Competent Civil Court. Further, the learned counsel for the private respondent has also not expressed any objection for the limited relief sought for by the petitioner.

4. Heard learned counsel on either side and perused the materials available on record.

5. In view of the aforesaid stand taken by the learned counsel for the petitioner, this Court, without interfering with the order under challenge, grants permission to the petitioner to file appropriate suit before the competent Civil Court. If such suit is filed, the competent Civil court shall consider the same and pass orders, without being influenced by any of the observations made in the present order under challenge. Further, liberty is granted to the petitioner to workout his remedy in accordance with law and the period pending before this Court shall be excluded while computing the period of limitation.



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WEB COPY 6. With the above observations and directions, this Writ petition is dismissed. No costs.

19.10.2022

RAP

Speaking Order : Yes/ No

Index : Yes/ No

To

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M.DHANDAPANI, J.

RAP

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