



WEB COPY



W.P.No.28598 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :31.10.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.28598 of 2022

and

W.M.P.No.27886 of 2022

Vijaya

.. Petitioner

Vs.

1. The District Collector,
Collectorate Office,
Vellore District.
2. The Inspector General of Registration,
Santhome High Road,
Santhome, Chennai – 600 08.
3. The District Registrar (Management),
Office of District Registrar, Vellore District.
4. The Sub Registrar,
Sub Registrar Office Complex, Vellore District – 1.
5. The Sub Registrar, Katpadi SRO Office,
Vellore District.
6. Naveen Kumar



W.P.No.28598 of 2022

7. Anitha
WEB COPY

8. Asha

..Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorarified Mamdamus to call for the records from the file of the 3rd Respondent relating to No.8316/E2/2021 dated 31.03.2022 and quash the same and consequently to cancel the Document No.11025/2021 and pass orders.

For Petitioner : Mr.S. Parthi

For Respondents 1 to 5 : Mr.C. Kathiravan
Special Government Pleader

ORDER

This writ petition is filed seeking for issuance of Certiorarified Mamdamus to call for the records from the file of the 3rd Respondent relating to No.8316/E2/2021 dated 31.03.2022 and quash the same and consequently to cancel the Document No.11025/2021.



W.P.No.28598 of 2022

WEB COPY

2. The case of the petitioner is that the petitioner inherited the subject property from his father and the same was registered as Document No. 6056/2015. The 6th and 8th respondents are brother and sister of the petitioner and the 7th respondent is petitioner's mother. Whiles the 6th respondent obtained signatures from the petitioner and the 7th and 8th Respondents on the ground for obtaining joint patta and registered the alleged release deed. Whereas the fact remains that that he has obtained signature in a release deed and the petitioner and the 7th and 8th Respondents were not aware of the said fact and when they are known about the alleged release deed they made a representation to the 3rd respondent to cancel the same, who intun passed the impugned order wherein it was stated that the release deed was valid one. Thereafter the petitioner has also made a representation to the second respondent to cancel the alleged release deed, but the same was not considered. Hence this writ petition.

3. The learned Government Pleader submits that the petitioner has challenged the order passed by the District Registrar/3rd Respondent. There is a provision available for the petitioner to challenge the impugned



W.P.No.28598 of 2022

WEB COPY

order passed by the third respondent/ District Registrar before the Inspector General of Registration/ Second respondent herein.

4. Consider the facts of the case this Court is of the view there is a alternate remedy available to the petitioner to file an appeal before the Inspector General of Registration, hence the petitioner is granted liberty to file an appeal before the appropriate appellate authority within a period of four weeks from the date of receipt of a copy of this order and if such appeal is filed, the appropriate appellate authority shall dispose the same within a period of twelve weeks from the date of filing of such appeal. No costs.

5. With the above observations this writ petition stands disposed of. No order as to costs.

31.10.2022

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



W.P.No.28598 of 2022

WEB COPY **To**

1. The District Collector,
Collectorate Office,
Vellore District.
2. The Inspector General of Registration,
Santhome High Road,
Santhome, Chennai – 600 08.
3. The District Registrar (Management),
Office of District Registrar, Vellore District.
4. The Sub Registrar,
Sub Registrar Office Complex, Vellore District – 1.
5. The Sub Registrar, Katpadi SRO Office,
Vellore District.



WEB COPY



W.P.No.28598 of 2022

M.DHANDAPANI,J.

smn

**W.P.No.28598 of 2022
and
W.M.P.No.27886 of 2022**

31.10.2022