



WEB COPY



W.P.No.28334 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.28334 of 2022

And

W.M.P.No.27643 of 2022

E.Stalin

... Petitioner

Vs.

1.The Inspector General of Registration,
No.100, Santhome High Road,
Santhome,
Chennai – 600 028.

2.The Deputy Inspector General of Registration,
Chennai Division,
Ground Floor,
Combined Commercial Tax Department
and Registration Department,
Vetnery Hospital Road,
Pernpet, Nandanam,
Chennai – 600 035.

3.K.Ramadas

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records of the second respondent forming part of his proceedings dated 02.09.2022 in Na.Ka.No.2022/A1/2021 and quash the entire proceedings thereon.



W.P.No.28334 of 2022

For Petitioner : Mr.V.Jayaprakash
For Respondents : Mr.E.Vijay Anand
Additional Government Pleader

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Certiorari to call for the records of the second respondent forming part of his proceedings dated 02.09.2022 in Na.Ka.No.2022/A1/2021 and to quash the entire proceedings thereon.

2.The learned counsel appearing for the petitioner submitted that earlier the third respondent had filed W.P.No.29673 of 2016 as against the petitioner before this Court and this Court vide order dated 14.11.2022 directed the parties to approach the competent civil Court. The learned counsel further submitted that the petitioner has already filed a suit as against the third respondent in O.S.No.137 of 2013 before the District Munsif Court at Poonamallee and the same is pending. Hence, this Court, without going into the merits of the case, may dispose of this writ petition by granting liberty to the petitioner to work out the remedy before the civil Court where civil suit is pending and issue direction to the District Munsif Court at Poonamallee, to decide the suit in O.S.No.137 of 2013, without being



W.P.No.28334 of 2022

influenced by any

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of the observations made in the order impugned in this writ petition.

3.Considering the limited relief now sought for by the learned counsel appearing for the petitioner, this Court, without expressing any opinion on the merits of the case, grants liberty to the petitioner to work out the remedy before the civil Court where civil suit is pending. This Court directs the District Munsif Court at Poonamallee to decide the suit in O.S.No.137 of 2013, without being influenced by any of the observations made in the second respondent's proceedings dated 02.09.2022 in Na.Ka.No.2022/A1/2021.

4.With the above observations, this writ petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

15.11.2022

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

3/4



WEB COPY



W.P.No.28334 of 2022

M.DHANDAPANI,J.
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To

- 1.The Inspector General of Registration,
No.100, Santhome High Road,
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