



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

WEB COPY

W.P. (MD) Nos.1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471 and 1472 of 2022

Latha	...	Petitioner in WP(MD). 1460/ 2022
Kasuthuri.B	...	Petitioner in WP(MD). 1461/ 2022
T.Venkachalam	...	Petitioner in WP(MD). 1462/ 2022
Jamuna	...	Petitioner in WP(MD). 1463/ 2022
B.Thilagavathy	...	Petitioner in WP(MD). 1464/ 2022
Latha.V	...	Petitioner in WP(MD). 1465/ 2022
Ramya .D	...	Petitioner in WP(MD). 1466/ 2022
Suriyakala	...	Petitioner in WP(MD). 1467/ 2022
N.Vasuki	...	Petitioner in WP(MD). 1468/ 2022
Poovalingam .V.A	...	Petitioner in WP(MD). 1469/ 2022
B.Manimala	...	Petitioner in WP(MD). 1470/ 2022
Srinivasan	...	Petitioner in WP(MD). 1471/ 2022
Angayarkanni	...	Petitioner in WP(MD). 1472/ 2022

- Vs. -

1.The Secretary to the Government,
Home Department, Chennai.

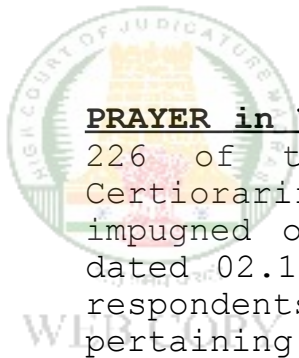
2.The District Collector, Madurai.

3.The District Registrar (South) (Admin)
Document and Registration,
Registrar Office, Mahal, Maurai.

4.The Sub Registrar,
Document and Registration,
Registrar Office,
Arasaradi, Madurai.

5.Mr.Jairaj, I.A.S.,
Administrator,
Sri Vysyaraja Mutt,
(Sosalai) having its Main Office at
No.1, Benne Govindappa Chatra,
Basavangudi, Bangalore.

... Respondents in all WPs



PRAYER in WP(MD). 1460 of 2022 :: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the third respondent in Na.Ka.No.7048/Aa1/2016, dated 02.11.2016 and to quash the same and consequently direct the respondents 3 and 4 to entertain the document for registration pertaining the petitioner's house property situated in Plot No.34 of Sennaiyar Colony, Madurai, Maninagaram, comprised in the Madurai Town Survey Ward No.5, Town S.No.1208/22/2A Raja Mills Road.

Prayer in WP(MD). 1461 of 2022 :

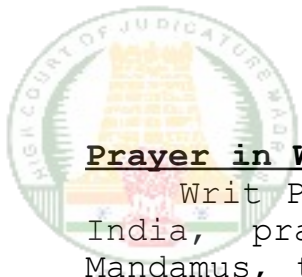
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the 3rd respondent in Na.Ka.No.7048/Aa1/2016 dt.02.11.2016 and the quash the same and consequently direct the 3rd and 4th respondents to entertain the document for registration pertaining the petitioners house property situated in Plot No.66A of Sennaiyar Colony, Madurai Maninagaram, comprised in the Madurai Town Survey Ward No.5, Town Survey No. T.S.No.1208/22/2A Raja Mills Road and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in WP(MD). 1462 of 2022 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the 3rd respondent in Na.Ka.No.7048/Aa1/2016 dt.02.11.2016 and the quash the same and consequently direct the 3rd and 4th respondents to entertain the document for registration pertaining the petitioners house property situated in Plot No.63 of Sennaiyar Colony, Madurai Maninagaram, comprised in the Madurai Town Survey Ward No5, Town Survey No. T.S.No.1208/22/2A Raja Mills Road and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in WP(MD). 1463 of 2022 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the 3rd respondent in Na.Ka.No.7048/Aa1/2016 dt.02.11.2016 and the quash the same and consequently direct the 3 to 4 respondents to entertain the document for registration pertaining the petitioners house property situated in Plot No.57 of Sennaiyar Colony, Madurai Maninagaram, comprised in the Madurai Town Survey Ward No.5, Town Survey No. T.S.No.1208/22/2A Raja Mills Road and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.



Prayer in WP(MD). 1464/ 2022 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the 3rd respondent in Na.Ka.No.7048/Aa1/2016 dt.02.11.2016 and the quash the same and consequently direct the 3rd and 4th respondents to entertain the document for registration pertaining the petitioners house property situated in Plot No.71 of Sennaiyar Colony, Madurai Maninagaram, comprised in the Madurai Town Survey Ward No5, Town Survey No. T.S.No.1208/22/2A Raja Mills Road and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in WP(MD). 1465 of 2022 :

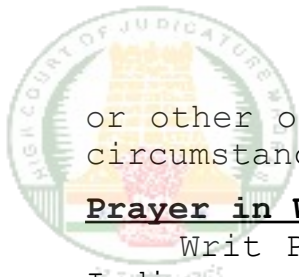
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the 3rd respondent in Na.Ka.No.7048/Aa1/2016 dt.02.11.2016 and the quash the same and consequently direct the 3rd and 4th respondents to entertain the document for registration pertaining the petitioners house property situated in Plot No.65 of Sennaiyar Colony, Madurai Maninagaram, comprised in the Madurai Town Survey Ward No.5, Town Survey No. T.S.No.1208/22/2A Raja Mills Road and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in WP(MD). 1466 of 2022 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the 3rd respondent in Na.Ka.No.7048/Aa1/2016 dt.02.11.2016 and the quash the same and consequently direct the 3 to 4 respondents to entertain the document for registration pertaining the petitioners house property situated in Plot No.56 of Sennaiyar Colony, Madurai Maninagaram, comprised in the Madurai Town Survey Ward No5, Town Survey No. T.S.No.1208/22/2A Raja Mills Road and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in WP(MD). 1467 of 2022 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the 3rd respondent in Na.Ka.No.7048/Aa1/2016 dt.02.11.2016 and the quash the same and consequently direct the 3 to 4 respondebts to entertain the document for registration pertaining the petitioners house property situated in Plot No.38 of Sennaiyar Colony, Madurai Maninagaram, comprised in the Madurai Town Survey Ward No.5, Town Survey No. T.S.No.1208/22/2A Raja Mills Road and pass such further



or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in WP(MD). 1468 of 2022 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of hte 3rd respondent in Na.Ka.No.7048/Aa1/2016 dt.02.11.2016 and the quash the same and consequently direct the 3rd and 4th respondents to entertain the document for registration pertaining the petitioners house property situated in Plot No.8 of Sennaiyar Colony, Madurai Maninagaram, comprised in the Madurai Town Survey Ward No 5, Town Survey No. T.S.No.1208/22/2A Raja Mills Road and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in WP(MD). 1469 of 2022 :

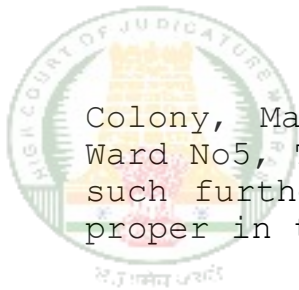
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the 3rd respondent in Na.Ka.No.7048/Aa1/2016 dt.02.11.2016 and the quash the same and consequently direct the 3rd and 4th respondents to entertain the document for registration pertaining the petitioners house property situated in Plot No.83 of Sennaiyar Colony, Madurai Maninagaram, comprised in the Madurai Town Survey Ward No5, Town Survey No. T.S.No.1208/22/2A Raja Mills Road and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in WP(MD). 1470 of 2022 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of hte 3rd respondent in Na.Ka.No.7048/Aa1/2016 dt.02.11.2016 and the quash the same and consequently direct the 3rd and 4th respondents to entertain the document for registration pertaining the petitioners house property situated in Plot No.23 of Sennaiyar Colony, Madurai Maninagaram, comprised in the Madurai Town Survey Ward No5, Town Survey No. T.S.No.1208/22/2A Raja Mills Road and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in WP(MD). 1471 of 2022 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the 3rd respondent in Na.Ka.No.7048/Aa1/2016 dt.02.11.2016 and the quash the same and consequently direct the 3rd and 4th respondents to entertain the document for registration pertaining the petitioners house property situated in Plot No.39 of Sennaiyar



Colony, Madurai Maninagaram, comprised in the Madurai Town Survey Ward No5, Town Survey No. T.S.No.1208/22/2A Raja Mills Road and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in WP(MD). 1472 of 2022 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of hte 3rd respondent in Na.Ka.No.7048/Aa1/2016 dt.02.11.2016 and the quash the same and consequently direct the 3rd and 4th respondents to entertain the document for registration pertaining the petitioners house property situated in Plot No.2 of Sennaiyar Colony, Madurai Maninagaram, comprised in the Madurai Town Survey Ward No5, Town Survey No. T.S.No.1208/22/2A Raja Mills Road and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

In all petitions

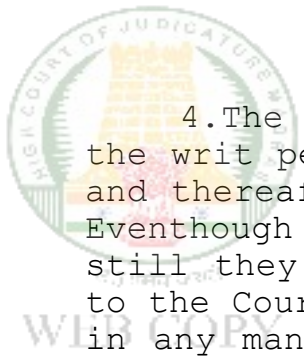
For Petitioner : Mr.K.K.Ramakrishnan
For R1 to R4 : Mr.S.Kameswaran
Government Advocate

COMMON ORDER

All these writ petitions have been filed in the nature of Writ of Certiorarified Mandamus, seeking interference with an order passed by the third respondent/District Registrar (South) (Admin) Document and Registration, Registrar Office, Mahal, Madurai, dated 02.11.2016 and to interfere with the same.

2.These writ petitions have been filed after five years and on that ground itself, I have to reject the writ petitions.

3.The impugned order stated that the documents presented for registration cannot be registered owing to pendency of W.P.(MD) No.20288 of 2015. But the matter runs deeper. Pursuant to a communications received from the Chief Secretary to the Government of Karnataka, the first respondent herein/Secretary to the Government of Tamil Nadu had addressed the second respondent/District Collector, Madurai, to issue a communications to the District Registrar, (South) (Admin), Document and Registration, Registrar Office, Mahal, Madurai District, who is the third respondent herein to put the Sub-Registrar on notice that if any document is presented for registration with respect to Town S.No.1208/22/2, then, since the matter is under direct supervision of a petition filed in the Karnataka High Court alleging fraud, registration should not be effected.



4.The impugned order has been issued in the year 2016 and all the writ petitioners have accepted the same for the past five years and thereafter, have taken a decision to file these writ petitions. Eventhough delay cannot be placed against the writ petitioners, still they have not explained the reason for the latches in coming to the Court after five long years. Moreover they have not suffered in any manner whatsoever for the past five years. Let them await results of the writ petition aforementioned.

5.It is also seen that the subject property under investigation by the Karnataka High Court is with respect to Town S.No.1208/22/2. The learned counsel seeks to differentiate the properties herein with a minor qualification saying that these properties are in Town S.No.1208/22/2A. By any reasoning, the sub-division 2A would only be part of S.No.2 and any consideration of the cases of the petitioners would only amount to a further fraud committed and multiply the fraud already committed which issues are now under the consideration of the Karnataka High Court/Government of Karnataka.

6.All these writ petitions are dismissed. They have been filed with *malafide* intentions. They are mischievous and they do not deserve any consideration of these petitions. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sjj

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Secretary to the Government,
Home Department, Chennai.

2.The District Collector,
Madurai.

3.The District Registrar (South) (Admin)
Document and Registration,
Registrar Office,
Mahal, Maurai.

<https://hcservices.ecourts.gov.in/hcservices/>



4.The Sub Registrar,
Document and Registration,
Registrar Office,
Arasaradi, Madurai.

+22 CC to M/s.K.K.RAMAKRISHNAN, Advocate (SR-2969, 2970, 2971, 2972, 2973, 2974, 2975, 2976, 2978, 2979, 2980 [F] dated 28/01/2022)

+1cc to M/S.SPL GP,Advocate, SR.No.2823 DATED:28.01.2022
W.P. (MD) Nos.1460, 1461, 1462, 1463,
1464, 1465, 1466, 1467, 1468 and 1469 of 2022,
1470, 1471, and 1472 of 2022
28.01.2022

SK (CO)
GC (14.02.2022) 7P 28C