



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD)No.7926 of 2022
and W.M.P. (MD) .No.5947 of 2022

1.Arangulavan

2.Govindaraj ... Petitioners

Vs.

1.The Deputy Inspector General of Registration,
Registration Department, Trichy.

2.The District Registrar,
Registration Department,
Pudukkottai, Pudukkottai Post and Taluk,
Pudukkottai District.

3.The Sub-Registrar,
Registration Department,
Alangudi Sub-Registration Office,
Alangudi, Alangudi Post and Taluk,
Pudukkottai District.

4.M.Srinivasan ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, forbearing the second and third respondents from taking any steps to enforce the second respondent's order dated 15.03.2022 passed in his proceedings in Pa.Mu.2266/A2/2021 till the final disposal of the appeal dated 31.03.2022 pending on the file of the first respondent.

For Petitioners : Mr.R.Paranjothi
for Mr.K.Baalasundharam
For R-1 to R-3 : Mr.S.Shanmugavel
Additional Government Pleader

O R D E R

This writ petition has been filed for a Mandamus to forbear the second and third respondents from taking any steps to enforce the second respondent's order, dated 15.03.2022, passed in his



proceedings in Pa.Mu.2266/A2/2021, till the final disposal of the appeal, dated 31.03.2022, pending on the file of the first respondent

2.The contention of the petitioners is that under the order, dated 15.03.2022, passed by the second respondent, a direction has been issued to initiate criminal prosecution against the petitioners. According to the petitioners, the first petitioner is aged about 69 years and it is also contended by the petitioners in this writ petition that they have not created any fraudulent documents as observed in the order, dated 15.03.2022, passed by the second respondent.

3.The petitioners have already filed statutory appeal aggrieved by the order, dated 15.03.2022, passed by the second respondent. Pending disposal of the statutory appeal the petitioners have filed this writ petition, seeking protection from implementation of the impugned order, dated 15.03.2022, passed by the second respondent.

4.Heard Mr.R.Paranjothi, learned counsel appearing for the petitioner and Mr.S.Shanmugavel, learned Additional Government Pleader, who accepts notice on behalf of the respondents 1 to 3.

5.It is submitted by the learned counsel for the petitioners that they have already filed a stay application along with the grounds of the appeal before the first respondent, aggrieved by the order, dated 15.03.2022, passed by the second respondent, who directed initiation of criminal prosecution against the petitioners.

6.Since the stay application has already been filed along with the grounds of the appeal, no prejudice will be caused to the respondents, if a direction is issued by this Court to the first respondent to consider the stay application, within a time frame to be fixed by this Court on merits and in accordance with law.

7.For the foregoing reasons, this Court directs the first respondent to consider the stay application filed by the petitioners along with appeal on 31.03.2022, aggrieved by the order, dated 15.03.2022, passed by the second respondent in Pa.Mu.2266/A2/2021 and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioners and other necessary parties, whom the first respondent deems fit to enquire, within a period of three weeks from the date of receipt of a copy of this order. It is made clear that with regard to the final disposal of the statutory appeal, this Court is not fixing any time for the first respondent and a time limit is fixed only for the stay application pending disposal of the statutory appeal filed by the petitioner.



8.With the aforesaid directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AE)

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/ /2022

Sub Assistant Registrar(CS)

TM

To

1.The Deputy Inspector General of Registration,
Registration Department, Trichy.

2.The District Registrar,
Registration Department,
Pudukkottai, Pudukkottai Post and Taluk,
Pudukkottai District.

3.The Sub-Registrar,
Registration Department,
Alangudi Sub-Registration Office,
Alangudi, Alangudi Post and Taluk,
Pudukkottai District.

+1 CC to M/s.SPL.GP. (SR-21213[F] dated 26/04/2022)

W.P. (MD)No.7926 of 2022
25.04.2022

RK(25/05/2022) 3P 5C