



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.04.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.8191 of 2022

and

W.M.P.[MD]No.6105 of 2022

WEB COPY

Rajangam ... Petitioner  
/Vs./

1.The District Registrar (Administration),  
Periyakulam, Theni District.

2.The Sub Registrar,  
Sindhupatti, Madurai District.

3.Raja

4.Panchammal ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for the records relating to the impugned order dated 14.03.2022 in Na.Ka.No.373/E2/2021 passed by the first respondent and quash the same.

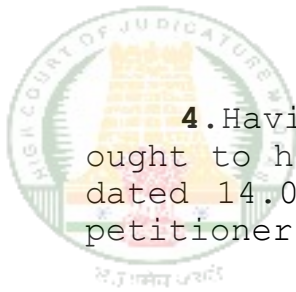
For Petitioner : Mr.T.R.Jeyapalam  
For R1 and R2 : Mr.S.Shanmugavel,  
Additional Government Pleader.

**ORDER**

This writ petition has been filed challenging the order dated 14.03.2022 passed by the first respondent, under which a finding has been given by the first respondent stating that the partition deed dated 05.04.2017 and the mortgage deed dated 10.01.2018 are fraudulent documents.

**2.**The contention of the petitioner in this writ petition is that a civil suit has already been filed by the third respondent pertaining to the very same property in O.S.No.3 of 2021 on the file of the District Munsif, Usilampatti. Therefore, according to the petitioner, the first respondent ought not to have entertained the complaint given by the third respondent and ought not to have passed the impugned order based on the said complaint.

**3.**As seen from the impugned order, opportunity of personal hearing has been granted to the petitioner and he has also submitted his explanation with regard to the complaint given by the third respondent.



4.Having been granted an opportunity of hearing, the petitioner ought to have filed a statutory appeal as against the impugned order dated 14.03.2022 before the competent appellate authority. But the petitioner has instead chosen to file this writ petition.

5.Since an alternative appellate statutory remedy is available to the petitioner, this writ petition is disposed of by granting liberty to the petitioner to challenge the order dated 14.03.2022 passed by the first respondent before the competent statutory appellate authority. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ( )

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1.The District Registrar (Administration),  
Periyakulam, Theni District.

2.The Sub Registrar,  
Sindhupatti, Madurai District.

+1 CC to M/s.T.R. JEYAPALAM, Advocate ( SR-21668[F] dated 27/04/2022 )

+1 CC to M/s.SPL.GP ( SR-22370[F] dated 28/04/2022 )

**W.P. [MD]No.8191 of 2022**

**26.04.2022**

RD(17.05.2022) 2P 5C