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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.09.2022

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THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

**W.P(MD)Nos.9089 & 9090 of 2022
and
WMP(MD)Nos.6512 & 6514 of 2022**

Chandramohan ... Petitioner in WP(MD)No.9089 of 2022

Rajendran ... Petitioner in WP(MD)No.9090 of 2022

vs.

1.The Deputy Inspector General of
Registration, Thanjavur.

2.The District Registrar (Administration),
District Registration Office,
Kumbakonam, Thanjavur District.

3.The Joint Sub Registrar,
No.1, Joint Registrar Office,
Kumbakonam, Thanjavur District.

4.D.Chitra ... Respondents in both cases

COMMON PRAYER : Writ Petitions filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari of Mandamus calling for the records pertaining to the impugned order passed by the 2nd respondent dated 18.03.2022 vide his proceedings in Moo.Mu.No.1551/I/2021 quash the same and consequently direct the 2nd and 3rd respondents to allow Registration of Documents based on Doc.No.2104/2021 dated 21.04.2021.



For Petitioners : Mr.S.Sankar

For Respondents : Mr.J.K.Jayaseelan,
Government Advocate for R1 to R3

Mrs.N.Krishnaveni, Senior Counsel
for Mr.P.Thiyagarajan for R4

COMMON ORDER

Heard the learned counsel for the petitioner, the learned Government Advocate for the respondents 1 to 3 and the learned Senior Counsel for the fourth respondent.

2.The fourth respondent gave a complaint before the second respondent herein that the documents registered in favour of the petitioners are fraudulent. After informing both the parties, the second respondent passed the impugned order dated 18.03.2022 accepting the case of the fourth respondent. Aggrieved by the same, these writ petitions have been filed.

3.The second respondent had passed the impugned order in terms of the circular issued by the Inspector General of Registration. The said circular provides for appeal remedy. The first respondent is the appellate authority. Therefore, the petitioners have to avail the appeal remedy. Granting liberty to the petitioners to avail the alternative remedy of appeal before the first



respondent, the writ petitions are disposed of. I make it clear that I have not gone into the merits of the matter. If the petitioners file appeals before the appellate authority within a period of four weeks from the date of receipt of copy of this order, the appellate authority shall entertain the same without reference to limitation. All the respective rights of the parties are left open. No costs. Connected miscellaneous petitions are closed.

01.09.2022

Index : Yes / No
Internet : Yes/ No
skm

To

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Kumbakonam, Thanjavur District.
- 3.The Joint Sub Registrar,
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G.R.SWAMINATHAN, J.

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