



W.P.(MD)No.8912 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.08.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

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Lakshmi

... Petitioner

Vs

1.The Inspector General of Registration,
Office of the Inspector General of Registration,
No.100, Santhome, Chennai-600 028.

2.The Deputy Inspector General of Registration,
Integrated Registration Department Campus,
TNAU Nagar, Rajakambiram,
Thirumokur Road,
Y.Othakadaai,
Madurai-625 107.

3.The District Registrar (Administration)
Document Registration Department,
Sivagangai,
Sivagangai District.

4.The Sub Registrar,
Thiruppuvanam Sub Registrar Office,
Thiruppuvanam,
Sivagangai District.

5.V.Ganesan

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 3rd respondent to consider the petitioner's representation dated 11.03.2022 within a time frame that may be stipulated by this Court, on the basis of the 2nd respondent proceedings in No. 2070/A1/2022 dated 13.03.2022 and directing the 3rd respondent to cancel the Fraudulent Partition Deed in Document No. 422 of 2020 on the file of the 4th respondent.

For Petitioner : Mr.R.Udhayakumar
For R1 to R4 : Mr.J.K.Jayaseelan
Government Advocate
For R5 : Mr.T.C.S.Thillainayagam

ORDER

Heard the learned counsel on either side.

2. The petitioner is aggrieved by the registration of the petition mentioned partition deed. She has moved the authority under the Registration Act for declaring the said document as void. Since no action was taken, the present writ petition came to be filed.

3. During the pendency of this petition, Ganesan /5th respondent in this petition filed O.S.No.67 of 2021 on the file of the District Munsif Court, Thiruppuvanam seeking the relief of permanent injunction. Likewise, Lakshmi/petitioner filed O.S.No.30 of 2022 on the file of the Sub Court,



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Manamadurai seeking comprehensive reliefs of declaration as well as partition.

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4. Since the competent civil Court is seized of the matter, it is not necessary for the authority under the Registration Act to go into the issue. Leaving open the rights of the parties, the Writ Petition is disposed of. Since O.S.No.67 of 2021 as well as the suit filed by Lakshmi are inter linked, O.S.No.67 of 2021 is withdrawn from the file of the District Munsif Court, Thiruppuvanam and is transferred for being tried along with O.S.No.30 of 2022 on the file of the Sub Court, Manamadurai. No costs.

12.08.2022

Index : Yes / No
Internet : Yes/ No
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To

1.The Inspector General of Registration,
Office of the Inspector General of Registration,
No.100, Santhome, Chennai-600 028.

2.The Deputy Inspector General of Registration,
Integrated Registration Department Campus,
TNAU Nagar, Rajakambiram,
Thirumokur Road,
Y.Othakadai,
Madurai-625 107.

3.Registry to mark this order to District Munsif Court, Thiruppuvanam, so that the case bundle can be transferred to Sub Court, Manamadurai.



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3.The District Registrar (Administration)
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Sivagangai District.

4.The Sub Registrar,
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