

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**DATED: 29.08.2022****CORAM****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P.(MD)No.20045 of 2022 and
W.M.P.(MD)Nos.14581 & 14583 of 2022

1. M.D.K.Shanmuganathan

2. M.D.K.Subramanian

Both are rep. by their Power of Attorney

M.Sathish Kannan

... Petitioners

Vs.

1. The Deputy Inspector General of Registration,
TNAU Nagar,
Rajakambiram,
Othakadai,
Madurai – 625 107.

2. The District Registrar,
O/o.The District Registrar,
Tenkasi District,
Tenkasi.

3. The Sub Registrar,
O/o.The Sub Registrar,
Tenkasi,
Tenkasi District.

4. R.Kannan

5. K.Pradeepa

6. N.Veerasugumari

7. N.Mathan Ragavendra

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records in respect of the documents vide 329/2009, 1395/2009, 208/2022 and 277/2022 on the file of the Sub Registrar, Tenkasi, Tenkasi District, in relation to the properties bearing survey Nos.885/2, 887, 894/2, 937/1, 938/1, 944, 945, 946, 947, 948, 949, 1002, 1003, 1004 measuring to an extent of 23 Acres and 53 cents situated at Elanji Village, Tenkasi District, belonging to the petitioners and quash the same as illegal, erroneous and unsustainable in law and consequently direct respondents 6 and 7 not to claim any right over the property by means of fake, false and fabricated sale deed in relation to the said property forthwith.

For Petitioners : Mr.S.Palani Velayutham

For R-1 to R-3 : Mr.K.S.Selva Ganesan,
Additional Government Pleader.

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ORDER

Heard the learned counsel appearing for the writ petitioners and the learned Additional Government Pleader appearing for the official respondents.

2. Considering the nature of relief to be granted, issuance of notice to the private respondents is dispensed with.

3. The petitioner has filed this writ petition for cancelling the registration of the petition mentioned documents. This is essentially a private dispute. The petitioner has two choices. He can move the District Registrar for enquiring into the matter. If according to the writ petitioner, the registration itself was fraudulent, it is open to him to move the jurisdictional civil Court for relief. In the writ proceedings, no interference is possible. Leaving open the rights and remedies of the writ petitioner, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

29.08.2022

Index : Yes / No
Internet : Yes/ No

PMU

G.R.SWAMINATHAN,J.

PMU

To:

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TNAU Nagar, Rajakambiram, Othakadai,
Madurai – 625 107.
2. The District Registrar,
O/o.The District Registrar, Tenkasi District,
Tenkasi.
3. The Sub Registrar,
O/o.The Sub Registrar, Tenkasi, Tenkasi District.

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