



W.P(MD)No.5247 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **26.10.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.5247 of 2014

and

M.P(MD)No.1 of 2014

Baskaran

... Petitioner

Vs.

1.The Sub Registrar,
Thuvarankuruchi Sub Registrar Office,
Thuvarankuruchi Post,
Marungapuri Taluk,
Tiruchirappalli District.

2.Govindaraj
3.Vatchala
4.Seetharaman
5.Vijayalakshmi
6.Balamuruli

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned return endorsement made by the first respondent in Athi.Mu.No.30/2014, dated 25.02.2014, quash the same and direct the first respondent to initiate criminal proceedings against the respondents 2 to 6 based on the petitioner's complaint, dated 17.02.2014.



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For Petitioner : M/s.M.Saravanan

For R-1 : M/s.S.R.A.Ramachandran
Additional Government Pleader

ORDER

The present Writ Petition has been filed challenging an order of the first respondent herein, under which, he has rejected the request of the writ petitioner, not to register a document presented by the second respondent herein. The said order has been passed, citing the pendency of W.P(MD)No.20182 of 2013. In view of the non appearance of the writ petitioner, this Court had dismissed W.P(MD)No.20182 of 2013 for default today. Since the said writ petition has been dismissed for default, the order impugned in the present writ petition is set aside. The matter is remitted back to the file of the first respondent herein to consider the representation of the petitioner afresh and decide the issue on merits and in accordance with law, in view of the amended provisions of the Registration Act.



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2. In view of the above said observations, the writ petition stands allowed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

26.10.2022

Index : Yes / No
Internet : Yes / No
btr

To

The Sub Registrar,
Thuvarankuruchi Sub Registrar Office,
Thuvarankuruchi Post,
Marungapuri Taluk,
Tiruchirappalli District.



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R.VIJAYAKUMAR, J.

btr

Order made in
W.P(MD)No.5247 of 2014

26.10.2022