



W.P.(MD)No.16501 of 2016

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.07.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.16501 of 2016

K.P.Karuppaiah

... Petitioner

Vs.

1.The Inspector General of Registration,
Department of Registration,
No.100, Shandhom High Road,
Pattinapakkam, Chennai.

2.The District Registrar,
Registration Office,
Thenkarai,
Periyakulam, Theni District.

3.R.Senthil

4.R.Sakthivel

5.R.Selvam

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, directing the second respondent to enquire about validity of Registered Gift Settlement Deed bearing Regt No.2395/2015 of Theni SRO

1/4



W.P.(MD)No.16501 of 2016

executed by the fourth respondent in favour of fifth respondent in accordance with provision of Registration Act, 1908 and Circular No.67, dated 03.11.2011 C.No.52338/C1/2011 issued by the first respondent and to pass order within stipulated time on the basis of the complaint dated 30.04.2015 sent by the petitioner.

For Petitioner : Mr.S.Manohar

For Respondents : Mr.J.K.Jeyaseelan,
Additional Government Pleader
for R1 & R2
No appearance for R3 to R5

ORDER

The present writ petition has been filed seeking for a Writ of Mandamus directing the second respondent to conduct an enquiry relating to the validity of a settlement deed, which is said to have been executed by the fourth respondent in favour of the fifth respondent, in the light of Circular No.67, dated 03.11.2011, issued by the first respondent herein.

2. According to the learned Counsel for the petitioner, for the same disputed property, the petitioner had filed O.S.No.123 of 2013,

2/4



W.P.(MD)No.16501 of 2016

before the Sub Court, Theni, for the relief of mandatory injunction and permanent injunction. The said suit has been dismissed on 14.07.2022 on merits. The petitioner intends to file a first appeal. The circular referred in the prayer has already been withdrawn by the first respondent herein. Hence, the prayer of the writ petitioner cannot be considered. That apart, the suit filed by the writ petitioner has also been dismissed on merits. It is open to the writ petitioner to canvass all his grievances in the proposed first appeal.

3. With the above said observations, this Writ Petition is closed. No costs.

21.07.2022

Index : Yes / No
Internet : Yes / No
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To

1.The Inspector General of Registration,
Department of Registration,
No.100, Shandhom High Road,
Pattinapakkam, Chennai.

3/4



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W.P.(MD)No.16501 of 2016

R.VIJAYAKUMAR ,J.

jbr

2.The District Registrar,
Registration Office,
Thenkarai,
Periyakulam, Theni District.

Order made in
W.P.(MD)No.16501 of 2016

21.07.2022