



W.P.(MD).No.24780 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.24780 of 2022

B.Sivakumar

... Petitioner

vs.

1. The Inspector General of Registration,
Office of the Inspector General of Registration,
No.100, Santhome High Road,
Chennai – 600 028.
2. The Deputy Inspector General of Registration,
Registration Department,
Thirumohur Road,
Y.Othakadai,
Madurai – 625 107.
3. The District Registrar (Administration)
Office of the Registration Department,
Collectorate Campus,
Dindigul – 624 004.
4. The District Registrar (Administration)
Registration Department,
Palani, Dindigul District.



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5. The Sub- Registrar,
Sub Registrar Office,
Oddanchathiram,
Dindigul District.

6. The Sub-Registrar,
Sub Registrar Office,
Sanarpatty,
Dindigul East Taluk,
Dindigul District.

7. A.Meenachi

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order issued by the fourth respondent in No.2595/E1/2022, dated 27.07.2022 and quash the same on the ground that the same is arbitrary, illegal and without any legal basis and consequently directing the fourth respondent to cancel the Will vide Document No.45/2002 on the file of the fifth respondent herein in connection with Survey No.118/7 to an extent of 1Acre 45 Cents and Survey No.118/8 to an extent of 31 Cents totally 1 Acre 76 Cents situated at Sanarpatty Village, Dindigul East Taluk, Dindigul District, as per Circular No.41530/U1/2017, dated 31.07.2018 and Circular No. 20217/U1/2021, dated 09.07.2021 issued by the first respondent.



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For Petitioner : Mr.K.Asok Kumar Ram
For R-1 to R-6 : Mr.S.R.A.Ramachandran
Additional Government Pleader

ORDER

This Writ Petition has been filed challenging the impugned order passed by the fourth respondent in No.2595/E1/2022, dated 27.07.2022 and to quash the same and consequently direct the fourth respondent to cancel the Will vide Document No.45/2002 on the file of the fifth respondent herein in connection with Survey No.118/7 to an extent of 1Acre 45 Cents and Survey No.118/8 to an extent of 31 Cents totally 1 Acre 76 Cents situated at Sanarpatty Village, Dindigul East Taluk, Dindigul District as per Circular No.41530/U1/2017, dated 31.07.2018 and Circular No.20217/U1/2021, dated 09.07.2021 issued by the first respondent.

2. Heard Mr.K.Asok Kumar Ram, learned counsel for the petitioner and Mr.S.R.A.Ramachandran, learned Additional Government Pleader appearing for the respondents 1 to 6.

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3. Admittedly, against the impugned order passed by the fourth respondent, an appeal remedy is available and without availing the appeal remedy, the petitioner has come forward to file this writ petition only in order to safeguard the limitation period and the writ petition cannot be maintained. Hence, this Writ Petition is dismissed giving liberty to the petitioner to avail the appeal remedy. No costs.

01.11.2022

Index: Yes/No

Internet: Yes/No

Note: The Registry is directed to return the original impugned order to the petitioner.

akv

To

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

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2. The Deputy Inspector General of Registration,
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3. The District Registrar (Administration)
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Collectorate Campus,
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4. The District Registrar (Administration)
Registration Department,
Palani, Dindigul District.
5. The Sub- Registrar,
Sub Registrar Office,
Oddanchathiram,
Dindigul District.
6. The Sub-Registrar,
Sub Registrar Office,
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V.BHAVANI SUBBAROYAN,J.

akv

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