



W.P(MD)No.27514 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.12.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.27514 of 2022

Susila

... Petitioner

Vs

1.The Deputy Inspector General of Registration,
Deputy Inspector General of Registrar Office,
Y.Othakadai, Madurai District.

2.The District Registrar,
District Registrar Office,
Sivagangai.

3.The Sub Registrar,
Thirupuvanam,
Sivagangai District.

4.Ravindran
5.Kalailingam
6.Meena

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent to complete the enquiry and to cancel the documents in Doc.Nos.36/92, 697/2004, 442/2008, 8479/2011, 697/2008, 4880/2009, 1971/2011 and 1972/2011 in



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respect of Survey Nos.31/1B1, 31/1B2A, 31/1B2B in respect of Survey Nos. 31/1B1, 31/1B2A, 31/1B2B situated at Madapuram Group, Thirupuvanam Taluk, Sivagangai District.

For Petitioner : Mr.R.Manoharan

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader
for R.1 to R.3

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 3.

2. The petitioner has given a petition before the second respondent for cancelling the petition mentioned documents. The case of the petitioner is that the property in question belonged to her father Ramachandra Naidu. Ramachandra Naidu died on 05.04.1970 leaving behind four legal heirs namely, Bala Saraswathi, Prabavathi, Susila and Nagarajan. The petitioner is one of the legal heirs. The case of the petitioner is that even though she was having 1/4th share in the property, her brother Nagarajan created records as if he had inherited the entire share and on that basis he had dealt with the same. The petitioner has enclosed in the typed set of papers that the power of attorney executed by Nagarajan in favour of one Prabhakarana way back in the year



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1992. It appears that based on the said power of attorney certain subsequent transactions have taken place. The petitioner has also given a criminal case which was registered on Crime No.234 of 2015 on the file of the Poovanthi Police Station. I wanted to know whether Nagarajan / the brother of the petitioner is still alive. It is submitted that Nagarajan is now no more. Before me only subsequent purchasers have been impleaded.

3. When the cause of action dates back to the year 1992, it is not open to the petitioner to fall back on the recently issued Government Orders and seek cancellation of the transactions that were executed and entered into a long time back. If the petitioner's request is permitted, it will reopen stale claims and settled matters. This writ petition is dismissed. I however make it clear that liberty is given to the petitioner to pursue the remedies already initiated by her. If the petitioner had any other remedy in law, the dismissal of the writ petition will not come in the way. No costs.

05.12.2022

Index : Yes / No
Internet : Yes/ No
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To
1.The Deputy Inspector General of Registration,
Deputy Inspector General of Registrar Office,
Y.Othakadai, Madurai District.



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2.The District Registrar,
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