



WEB COPY



W.P.No.2197 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.2197 of 2023 and W.M.P. Nos.2275 and 2276 of 2023

1.M/s.Vinod Kumar Rathi (HUF)
represented by its Kartha
Vinod Kumar Rathi

2.M/s.Samrat Rathi (HUF)
represented by its Kartha
Samrat Rathi

...Petitioners

Vs

1.Tamil Nadu Chief Controlling
Revenue Authority/
Inspector General of Registration,
Chennai – 600 028.

2.District Revenue Officer (Stamps),
Office of the District Revenue Officer (Stamps),
5th Floor, Singaravelar Maligai,
Rajaji Salai,
Chennai – 600 001.

3.The Sub Registrar,
Perambakkam,
Kancheepuram District.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records of the second respondent relating to the impugned proceedings dated 10.10.2022 and quash the same and consequently direct the third respondent to release the document No.1918 of 2022 registered on 06.06.2022 on the file of the third respondent to the petitioners.

For Petitioners : Mr.S.Haja Mohideen Gisthi

For Respondents : Mrs.Akila Rajendran,
Government Advocate

ORDER

Heard Mr.S.Haja Mohideen Gisthi, learned counsel for the petitioners and Mrs.Akila Rajendran, learned Government Advocate for the respondents.

2.The writ petition has been filed, challenging the impugned proceedings dated 10.10.2022, issued by the second respondent and seeking for a direction to the third respondent to release the document No.1918 of 2022, registered on 06.06.2022, to the petitioners.

3.As against the order passed under Section 47-A of the



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Registration Act by the second respondent herein, the petitioners herein had preferred an Appeal before the first respondent on 21.11.2022 and the same is pending.

4.The petitioner had simultaneously preferred the present writ petition, since the Appeal was not disposed of in time. When a Statutory Appeal is pending before the Appellate Authority, this Court, exercising its powers under Article 226 of the Constitution of India, will not be justified in parallely and simultaneously adjudicating the matter.

5.However, if the Appellate Authority, namely, the first respondent herein is called upon to dispose of the Appeal expeditiously, the ends of justice could be secured.

6.Accordingly, there shall be a direction to the first respondent herein to dispose of the Appeal as expeditiously as possible, in any event, within a period of three months from the date of receipt of a copy of this order.



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vga

7.With the above directions, the writ petition stands allowed.

Consequently, connected W.M.Ps stand closed. No costs.

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Index:Yes/No

Speaking order/Non-speaking order

vga

To

1.Tamil Nadu Chief Controlling

Revenue Authority/

Inspector General of Registration,

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2.District Revenue Officer (Stamps),

Office of the District Revenue Officer (Stamps),

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Chennai – 600 001.

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