



W.P.No.8253 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.8253 of 2023

V.Vallarasan

...Petitioner

Vs

1.The District Registrar (Administration),
Tindivanam,
Villupuram District.

2.M.Sivakumar

3.P.Machavalli

4.P.Murugan

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the impugned order of the first respondent dated 30.11.2022 in Na.Ka.No.4374/A3/2022, quash the same as illegal and direct the second respondent not to interfere with the peaceful possession and enjoyment of the property in S.No.37/5 1.00 Acres at Kil Edayalam Village, Tindivanam Taluk, Villupuram District.



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For Petitioner : Mr.K.Jaisankar

For Respondents : Mr.Yogesh Kannadasan,
Special Government Pleader for R1

Mr.K.C.Karl Marx for R2

Mr.K.Elango for R3

ORDER

Heard Mr.K.Jaisankar, learned counsel for the petitioner, Mr.Yogesh Kannadasan, learned Special Government Pleader for the first respondent, Mr.K.C.Karl Mark, learned counsel for the second respondent and Mr.K.Elango learned counsel for the third respondent.

2.The writ petition has been filed, challenging the order dated 30.11.2022, passed by the first respondent in Na.Ka.No.4374/A3/ 2022 and seeking for a direction to the second respondent not to interfere with the peaceful possession and enjoyment of the property in S.No.37/5 1.00 Acres, situated at Kil Edayalam Village, Tindivanam Taluk, Villupuram District.

3.The order under Section 77-A of the Registration Act is under



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challenge in the present writ petition. As against the said order, an Appeal remedy is provided under Section 77-B of the Act.

4.In the instant case, based on the complaint given by the second respondent herein, Document No.1303/1933 has been cancelled through the impugned order dated 30.11.2022 by the first respondent herein, which is an alleged Sale Deed executed by respondents 3 and 4 in favour of the petitioner.

5.It is now stated that as against the impugned order dated 30.11.2022, respondents 3 and 4 herein have preferred an Appeal under Section 77-B before the Inspector General of Registration and the petitioner herein is also participating in the enquiry.

6.If that be so, the present writ petition, seeking for a similar relief, cannot be parallely proceeded with and the petitioner would have to wait for the final outcome of the appeal proceedings.

7.It is brought to the notice of this Court that after the Appeal was



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filed, respondents 3 and 4 had filed a writ petition in W.P. No.731 of 2023 and by order dated 11.01.2023, this Court had directed the Appellate Authority to dispose of the Appeal within a period of three months.

8.The Appellate Authority is hereby directed to extend due opportunities to the petitioner as well as respondents 2 to 4, while conducting the appeal proceedings, within a time frame prescribed by this Court in W.P. No.731 of 2023.

9.With the above observation and direction, the writ petition stands closed. No costs.

13.04.2023

Index:Yes/No

Neutral Citation:Yes/No

Speaking order/Non-speaking order

vga

To



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The District Registrar (Administration),
Tindivanam,
Villupuram District.



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M.S.RAMESH,J.

vga

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