



WEB COPY



W.P.No.9672 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2023

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.9672 of 2023

and

W.M.P.Nos.9725 & 9726 of 2023

Mrs.Prema Ramalingam

...Petitioner

-Vs-

1.The Chief Controlling Revenue Authority – cum-
Inspector General of Registration,
Santhome High Road,
Mylapore, Chennai – 600 004.

2. The District Registrar ,
Registration Department,
Chengalpattu.

3.The Joint II Sub Registrar,
Registration Department,
Chengalpattu.

4.M/s.Mahindra Integrated Township Limited,
Administrative Block,
Mahindra World City,
Chengalpattu Taluk,
Kancheepuram District-603 002.



W.P.No.9672 of 2023

5. M/s.Mahindra Residential Developers Limited,
The canopy, Block -A, 2nd Avenue,
Mahindra World City Post,
Chengalpet- 603 002.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the order of the 2nd Respondent dated 25.07.2016 in Ka.No. 4242/ A1 / 2015 and quash the same and consequently direct the 3rd Respondent to register the Lease Deed of the petitioner dated 08.12.2012.

For Petitioner : Mr.K.Selvaraj

For Respondents

(for R1 to R3) : Mr.R.Ramanlaal,

Additional Advocate General,
assisted by Mr.G.Krishna Raja
Additional Government Pleader

(for R4 & R5) : Mr.Srinath Sridevan, Senior Counsel for
M/s.Aishwarya S.Nathan

ORDER

The Show cause notice, issued by the District Registrar, Chengalpattu under Indian Stamps Act effected in proceedings dated 25.07.2016, is under challenge in the present writ petition.



W.P.No.9672 of 2023

2. No writ against a show cause notice is entertainable, unless such notice has been issued by an incompetent authority having no jurisdiction or tainted with the allegations of mala fide.

3. In the present case, no such grounds have been established and therefore, the petitioner has to defend her case before the District Registrar who issued the impugned show cause notice.

4. The learned counsel for the petitioner made a submission that an explanation had already been submitted by the petitioner in response to the show cause notice.

5. The authorities must be allowed to exercise their powers as contemplated under the Act. Unnecessary intervention by the High Court during the intermittent period is not desirable. Enquiry commenced under the provisions of the statutes must be allowed to be completed in the manner contemplated under the statutes and rules. The quasi judicial authorities are empowered to consider both the factual and legal grounds and therefore, the



W.P.No.9672 of 2023

parties are at liberty to submit their defence statements along with the documents and also the judgments they relied upon.

6. That being factum, the District Registrar shall conduct an enquiry by following the procedures as contemplated and pass orders on merits and in accordance with law as expeditiously as possible. The circular issued by the Inspector General of Registration for the purpose of disposing of such applications is to be followed.

7. With these observations, the writ petition stands **dismissed**. No costs. Consequently, connected miscellaneous petitions are closed.

24.08.2023

Index: Yes
Speaking order
rjr/sha



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W.P.No.9672 of 2023

S.M.SUBRAMANIAM, J.

rjr/sha

W.P.No.9672 of 2023

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