



WEB COPY

WP No.38737 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09-06-2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP No.38737 of 2016

And

WMP Nos.33189 of 2016 and 9182 of 2018

1.M/s.Tropical Agrosystems (India) Pvt. Ltd.,
Plot No.72, Raja Annamalai Building,
Jhaver Centre, 4th Floor,
Marshalls Road,
Egmore,
Chennai-600 008.

2.V.K.Jhaver

... Petitioners

Vs.

1.The District Registrar,
North Chennai,
No.1, Murthihal Lane,
Chennai-600 001.

2.A.R.Vivambal

3.R.Sathyakumari

4.The Inspector General of Registration,
No100, Santhome High Road,
Chennai-600 028,
Tamil Nadu, India.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned complaint dated 15.07.2016 culminating in the Notice dated 29.09.2016, bearing Ref.No.7979/Aa/5/2016 issued against the petitioners herein calling upon them to appear for an enquiry in respect of the Sale Deeds registered as Document Nos.6093 of 1986, 6171 of 1986, 6671 of 1986, 6217 of 1986, 6292 of 1986, 3505 of 1988 and 6361 of 1988, quash the aforementioned impugned complaint and consequently the impugned notice and forbear the first and the fourth respondents their men, subordinates, agents and other person(s) claiming any rights through or under them from initiating any action on the basis of the impugned complaint alleged to have been lodged by the second respondent herein including under Sections 82 and 83 of the Registration Act, 1908, either by initiating any criminal prosecution or by setting aside the sale fo the said lands admeasuring an extent of 1.18 acres situate in Survey No.509, Attipattu Village, Ambattur within the jurisdiction of the District Registrar, North Chennai.

For Petitioners : Mr.S.Raghunathan

For Respondents-1 and 4: Mr.D.Ravichander,
Special Government Pleader.

For Respondent-2 : Mr.S.Giridharan

For Respondent-3 : Mr.R.Krishnaswamy



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ORDER

The complaint submitted by the second respondent to cancel the Sale Deed is based on the Government order issued by the Inspector General of Registration in Circular No.67 cannot be considered in view of the fact that the said Circular No.67 has been withdrawn by the Inspector General of Registration.

2. The Registration Act has been amended in this regard and therefore, a complaint submitted by the second respondent lost its relevance and the first respondent-District Registrar or the Authority Competent cannot deal with the complaint as the Circular itself has been withdrawn. If at all any grievance exists as of now in respect of any disputes, the parties have to approach the Civil Court of Law.

3. It is brought to the notice of this Court that the Second Appeal is already pending before the High Court and therefore, the parties have to adjudicate the issues in the Second Appeal, which is pending before the High Court.



4. After disposal of the civil litigation, they may approach the Competent Authorities for effecting necessary changes in the Revenue Registers. It is brought to the notice of this Court that the second respondent passed an Award. However, since the Circular, based on which the complaint submitted, has been withdrawn, no further adjudication is required in respect of the grounds raised in the present writ petition.

5. With the above observations, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

09-06-2023

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
Svn



To

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S.M.SUBRAMANIAM, J.

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