



W.P.No.32498 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 06.03.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.32498 of 2014

and

M.P.No.1 of 2014

P.Soundarajan

...Petitioner

Vs.

1.The District Registrar,
Registration Department,
Tiruppur,
Tiruppur District.

2.The Sub-Registrar,
Joint-II-Sub Registration Office
Tiruppur,
Tiruppur District.

3.The Inspector of Police,
Central Crime Branch,
Tiruppur Commissionerate,
Tiruppur, Tiruppur District.

4.A.G.Kannusamy

5.S.Kuppathal

6.M.Balamani

..Respondents



W.P.No.32498 of 2014

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records of the 3rd Respondent's impugned letter dated 30.09.2014 issued to the 1st respondent and same was served to the petitioner in No.Na.Ka.No.518/2014 dated 28.11.2014 through RTI Act and quash the same.

For Petitioner	: Mr.M.Easan
For R1 to R3	: Mr.S.Ravichandran Additional Government Pleader
For R4	: Mr.G.Ethirajulu
For R5 and R6	: Not Ready in Notice

ORDER

The relief sought for in the present writ petition is to call for the records of the 3rd Respondent's impugned letter dated 30.09.2014 issued to the 1st respondent and same was served to the petitioner in No.Na.Ka.No.518/2014 dated 28.11.2014 through RTI Act and quash the same.

2. The order impugned in the present writ petition is an internal communication between the 3rd respondent/Inspector of Police, Central



W.P.No.32498 of 2014

Crime Branch, Tiruppur Commissionerate, Tiruppur and the second respondent/Joint Sub-Registrar-II, Tiruppur.

3. Regarding the complaint about land grabbing, on receipt of complaint, the Inspector of Police, Central Crime Branch, Tiruppur has sent a letter to the Joint Sub-Registrar-II, stating that the issues relating to land grabbing are pending before the Civil Court and till such time the civil disputes are resolved, no registration needs to be done.

4. However, it is a report submitted by the Inspector of Police, which is to be considered by the Joint Sub-Registrar-II that in the event of presentation of any document for registration under the provisions of the Registration Act.

5. The third respondent, who filed a counter affidavit has stated that a Criminal Case was registered in DCB Cr.No.1/2014 under Sections 120 (B), 409, 420, 417, 423, 467, 468, 471 & 82 of Registration Act, 1908 against 13 persons.



W.P.No.32498 of 2014

6. The cases were pending for trial before the Court concerned for the allegations of land grabbing and that apart, the civil cases were also pending during the relevant point of time.

7. A mere report or letter from the Inspector of Police, District Central Crime Branch, Tiruppur to the Joint Sub-Registrar-II, Tiruppur, would provide no cause for the writ petitioner to file the present writ petition. It is a report given based on the complaint and a Criminal Case was also registered. Thus, the Inspector of Police had rightly written a letter to the Joint Sub-Registrar-II, Tiruppur, for initiating appropriate action under the Registration Act. More so, the Criminal Case was also registered for the offences under the Registration Act.

8. That being the factum, the mere internal communication sent by the Inspector of Police to the Joint Sub Registrar would not provide any cause for the purpose of filing the present writ petition. That apart, the High Court cannot conduct a roving enquiry in respect of the allegations or the complaints, which all are to be enquired into by following the procedures as



W.P.No.32498 of 2014

contemplated under law. Thus, the parties are bound to adjudicate their own cases by following the procedures and by defending the cases registered against them both under the criminal law and in the civil proceedings, which all are already pending.

9. The learned Additional Government Pleader appearing on behalf of the respondents 1 to 3, made a submission that the writ petitioner is also an Accused No.5 in the Criminal Case and that being the factum, the petitioner has to face the proceedings by following the procedures.

10. Thus, the relief as such sought for in the present writ petition deserves no merit consideration and accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

06.03.2023

Index : Yes
Speaking order
Neutral Citation: Yes
kak

5/7



W.P.No.32498 of 2014

To

WEB COPY

1. The District Registrar,
Registration Department,
Tiruppur,
Tiruppur District.
2. The Sub-Registrar,
Joint-II-Sub Registration Office
Tiruppur,
Tiruppur District.
3. The Inspector of Police,
Central Crime Branch,
Tiruppur Commissionerate,
Tiruppur, Tiruppur District.



WEB COPY



W.P.No.32498 of 2014

S.M.SUBRAMANIAM, J.

kak

W.P.No.32498 of 2014

06.03.2023