



WEB COPY

W.P.No.24721 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.24721 of 2023

E.Kumar

...Petitioner

Vs.

1.The District Registrar,
Office of the District Registrar,
Kallakurichi District.

2.Subramaniyan

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to consider and dispose the representation dated 16.06.2023 to cancel the partition deed in Document No.2670/2015 dated 06.07.2015 registered in the SRO, Chinnasalem executed by the 2nd respondent herein.

For Petitioner

: Mr.E.D.Sethupathi

For R1

: Mr.T.Arunkumar
Additional Government Pleader.



ORDER

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The relief sought for in the present writ petition to direct the 1st respondent to consider and dispose the representation dated 16.06.2023 to cancel the partition deed in Document No.2670/2015 dated 06.07.2015 registered in the SRO, Chinnasalem executed by the 2nd respondent herein.

2.The issues raised in the present writ petition were adjudicated by this Court in a batch of writ petitions in ***W.P.No.4192 of 2018 [A.Selvam vs. The Sub Registrar, Dadagapatti, Salem District] etc., and batch***, and a judgment was delivered on 15.06.2023. In this regard, the Inspector General of Registration has issued a Letter No.19464/U1/2023 dated 10.06.2023 in Circular No.1 of 2023. The relevant paragraphs of the above said judgment are extracted hereunder:

“33. In view of the facts and circumstances, the following orders are passed:

1. In respect of the complaints pending before the District Registrars concerned and the appeals pending before the respective Appellate Authorities, the Inspector General of Registration shall direct all the authorities to follow Circular



WEB COPY

W.P.No.24721 of



No.1/2023 dated 10.06.2023 strictly for the purpose of disposal of the complaints and the appeals in a consistent manner.

2. The Inspector General of Registration is directed to incorporate the further clarifications as stated in this order and issue a fresh Circular within a period of two weeks from the date of receipt of a copy of this order.

3. The respondents are directed to relegate the parties to approach Civil Court of Law, in the event of disputed facts regarding civil rights exist between the parties.

4. In the event of violation of the guidelines issued by the Inspector General of Registration or the directions issued by this Court or any other lapses, negligence or dereliction of duty is found while performing the duties by the authorities, departmental disciplinary proceedings are to be initiated under the relevant Service Rules.

5. The Inspector General of Registration is directed to conduct periodical Reviews as



WEB COPY

W.P.No.24721 of



*warranted under the Rules of Public
Administration.”*



WEB COPY

W.P.No.24721 of



S.M.SUBRAMANIAM, J.

cse

3. In view of the fact that the case of the petitioner is also similar to that of the cases (cited *supra*), the case of the petitioner is also to be considered on the same line by the 2nd respondent herein.

4. Accordingly, this Writ Petition stands disposed of. No costs.

22.08.2023

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Index: Yes/No

Neutral Citation: Yes/No

Speaking order/Non-Speaking Order

To

The District Registrar,
Office of the District Registrar,
Kallakurichi District.

W.P.No.24721 of 2023