



WEB COPY

W.P.No.26845 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.26845 of 2023

D.Shakshadipathy

... Petitioner

Vs.

1.The Inspector General of Registration,
No.100, Santhome High Road, Mullima Nagar,
Mandavelipakkam, Raja Annamalai Puram,
Chennai – 600 028.

2.The District Registrar,
South Chennai,
Chennai District.

3.G.Thamaari @Thamaraikani

4.M.Revathi

5.L.Muthu

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to consider the petitioner representation dated 30.12.2021.

For Petitioner

: Ms.T.Vanitha
for Mr.L.Ramu

For R1 & R2

: Mr.G.Krishna Raja,
Additional Government Pleader



WEB COPY

W.P.No.26845 of 2



ORDER

The relief sought for in the present writ petition is to direct the respondents 1 and 2 to consider the representation dated 30.12.2021.

2. The direction to consider the representation cannot be issued in the absence of establishing the right and the Court to examine whether the authorities competent against whom such direction is sought for is acceptable of deciding the issues.

3. In the present case, the petitioner states that the property belonging to him was transferred by the 5th respondent in favour of the 4th respondent in the year 2007. Thus, the disputed document is to be challenged before the competent Civil Court of law for the purpose of declaring the document as valid or invalid. Such an exercise cannot be done by the Registering Authority at this length of time and therefore, directing the respondents to dispose of the representation would do no service to the cause of justice.



WEB COPY

4. Accordingly, the petitioner is at liberty to approach the competent Civil Court of law for the purpose of establishing his right in the manner known to law.

5. Accordingly, the Writ Petition stands dismissed. No costs.

13.09.2023

veda/skr
Index : Yes
Speaking order

To

- 1.The Inspector General of Registration,
No.100, Santhome High Road, Mullima Nagar,
Mandavelipakkam, Raja Annamalai Puram,
Chennai – 600 028.
- 2.The District Registrar,
South Chennai,
Chennai District.



WEB COPY



W.P.No.26845 of 2

S.M.SUBRAMANIAM, J.

veda/skr

W.P.No.26845 of 2023

13.09.2023