



WEB COPY



W.P.No.28394 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.10.2023

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.28394 of 2023

and

W.M.P.Nos.27945 & 27947 of 2023

1. S.Joseph Raj

2. S.Emmanuvel Raj

... Petitioners

Vs.

1. The District Registrar (Admin),
Combined Registration Office,
Kacheri Salai, Kallakurichi District.

2. The Sub Registrar,
SRO at Vadaponparappi
Vanapuram Taluk,
Kallakurichi District.

3. Savarimuthu

4. Selvaraju

5. Abraham

6. Lookas

7. Selvaraju

8. Bakkiyaraj

9. Lurdu Sasikala



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10. Leo

11. Manikandan

12. The Deputy Superintendent of Police,
Thirukoilur Sub-Division,
Kallakurichi District.

13. The Sub-Inspector of Police,
Moongilduraipattu Police Station,
Kallakurichi District.

...

Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records leading to the impugned order in Na.Ka.No.4123/Aa1/2022, dated 22.06.2023 on the file of the 1st respondent and quash the same as illegal, Non-est in the eye of law and without jurisdiction and further directing the 2nd respondent to remove the entries in respect of the documents registered based on the impugned order from the concerned registers, within a stipulated time.

For Petitioners : Mr.J.Agni Selvaraju

For R1 & R2 : Mr.Yoegsh Kannadasan
Special Government Pleader

For R12 & R13 : Mr.S.Sugendran
Additional Public Prosecutor



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ORDER

The petitioner has come forward with this writ petition praying for issuance of a Writ of Certiorarified Mandamus to call for the records of the first respondent pertaining to the proceedings in Na.Ka.No.4123/Aa1/2022 dated 22.06.2023 and to quash the same and also to direct the second respondent to remove the entries in respect of the documents registered based on the abovesaid order from the concerned Registers.

2. Heard the learned counsel appearing for the petitioners, learned Special Government Pleader appearing for the respondents 1 and 2 and the learned Additional Public Prosecutor appearing for the respondents 12 and 13.

3. There are provisions to challenge the abovesaid impugned order passed under Section 77-A of the Registration Act before the appellate authority. Since an alternative remedy is available before the appellate authority, this Writ Petition is not maintainable.



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4. In view of the above, Writ Petition is dismissed. The petitioners are at liberty to workout their remedy in the manner known to law. There shall be no order as to costs. Consequently, connected W.M.P.No.27947 is closed.

5. W.M.P.No.27945 of 2023 is ordered on payment of separate Court fee by each of the petitioners.

05.10.2023

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



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To

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Combined Registration Office,
Kacheri Salai,
Kallakurichi District.
2. The Sub Registrar,
SRO at Vadaponparappi
Vanapuram Taluk,
Kallakurichi District.
3. The Deputy Superintendent of Police,
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P.VELMURUGAN, J.

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