



W.P.No.31321 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2023

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.31321 of 2023

and

W.M.P.No.30941 of 2023

V.Moorthy @ Rajamoorthy

... Petitioner

Vs.

1. The Inspector General of Registration,
100, Santhome High Road,
Mullima Nagar, Mandavelipakkam,
Raja Annamalaipuram, Chennai 600 028.

2. The District Registrar (Administration),
Kanchipuram.

3. Sekar

4. Anzar Bee

5. Shathik Baksha

6. Bank of Baroda,
Kancheepuram Branch,
Represented by its Branch Manager,
No.227, Gandhi Road,
Kanchipuram – 631 501.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari calling for the records of the impugned order made by the first respondent in proceedings in 5785/U2/U1/2023 dated 03.08.2023 and to quash the same.

For Petitioner : Mr.P.Dinesh Kumar

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

ORDER

This Writ Petition has been filed to issue a Writ of Certiorari calling for the records of the impugned order dated 03.08.2023 made by the first respondent in proceedings in 5785/U2/U1/2023 and to quash the same.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the official respondents and perused the materials available on record.



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3. It is the contention of the learned counsel appearing for the petitioner that the petitioner filed the Civil Suit in O.S.No.72 of 2022 on the file of the Sub Court, Kanchipuram, against the third respondent herein, seeking for declaration of title with respect to the suit property covered under the petitioner's sale deed dated 28.06.2021 and the same is still pending. The third respondent herein had approached the second respondent seeking to cancel the sale deed in favour of the petitioner in Document No.1868 of 2021 on the ground that the aforesaid document is a fraudulent document. The second respondent passed the order dated 31.01.2023 and the same being confirmed by the first respondent vide order dated 03.08.2023, cancelled the sale deed in Document No.1868 of 2021. Hence he filed the present writ petition.

4. It is seen that there is a civil dispute between the petitioner and the private respondents herein, which requires oral and documentary evidence and the same cannot be decided in the writ petition.



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5. Therefore, the writ petition is dismissed at the admission stage itself. There shall be no order as to costs. The petitioner is at liberty to work out his remedy before the civil Court. Consequently, connected miscellaneous petition is closed.

09.11.2023

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

1. The Inspector General of Registration,
100, Santhome High Road,
Mullima Nagar, Mandavelipakkam,
Raja Annamalaipuram, Chennai 600 028.
2. The District Registrar (Administration),
Kachipuram.



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P.VELMURUGAN, J.

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