



W.P(MD)No.2128 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.2128 of 2022

Kannan

... Petitioner

Vs.

1.District Registrar (Administration)
Madurai (South)
District Registrar Office,
No.171, Palace Road,
Madurai-625 001.

2.The Joint Sub Registrar No.1,
Office of the Joint Sub Registrar No.1,
Madurai South,
Madurai District.

3.Poochammal

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records pertaining to the impugned order passed by the 1st respondent vide office proceedings in Na.Ka.No.7996/A2/2021 dated 30.12.2021 and quash the same as illegal and arbitrary.

For Petitioner : Mr.R.Karunanidhi

For Respondents : Mr.M.Siddharthan
Additional Government Pleader for R1 & R2
: Mr.N.Pragalathan for R3



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ORDER

Heard both sides.

2. One Ramuthai and three others executed sale deed dated 12.11.2008 in favour of the petitioner Kannan. Contending that it was a fraudulent registration, Poochammal/R3 herein lodged a complaint. Her complaint was accepted and the petition mentioned sale deed bearing document No. 11214 /2008 registered on the file of the second respondent was cancelled by the first respondent vide proceedings dated 30.12.2021. The cancellation order is put to challenge in this writ petition.

3. It is beyond dispute that the cancellation order was passed without putting the petitioner on notice. The order was communicated to the petitioner herein. There has been a flagrant breach of the principles of natural justice. The order impugned in the writ petition is set aside. The matter is remitted to the file of the first respondent. Whether the first respondent will have the jurisdiction is an issue that is left open. The Writ Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

04.10.2023

Index : Yes / No
Internet : Yes/ No
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To

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- 2.The Joint Sub Registrar No.1,
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G.R.SWAMINATHAN, J.

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