



WEB COPY



WP(MD)No.2845 of 2023

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 30.10.2023**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**WP(MD)No.2845 of 2023**

S.V.Balsamy Iyer & Brothers Trust

Rep.by its Present Manager,

S.K.Ganesan

... Petitioner

**v.**

1.The District Registrar (Administration),  
District Collector Office Compound,  
Dindigul, Dindigul District.

2.Joint 2 Sub Registrar,  
District Collector Office Compound,  
Dindigul, Dindigul District – 624 004.

3.Jayalakshmi

4.Sridevi

5.R.Seenithaai

... Respondents

**Prayer :** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records culminating in the impugned order bearing Na.Ka.No.6329/A3/2021 issued by the 1<sup>st</sup> respondent and quash the same and confirm the 2<sup>nd</sup> respondent registered intimation as Document No.60/2022 and directing the 1<sup>st</sup> respondent to cancel the documents bearing registration Nos.2392 of 2002,



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2703 of 2002 and 1009 of 2003 in favour of 3<sup>rd</sup> to 5<sup>th</sup> respondents respectively as null and void.

For Petitioner : Mr.N.Anantha Padmanaban, Senior Counsel  
for Mr.A.Sathasivam

For Respondents : Mr.C.Satheesh, Government Advocate  
for R1 & R2

Mr.R.Anand for R3

Mr.J.Lawrance for R4

### **ORDER**

Heard the learned Senior Counsel appearing for the petitioner, the learned Additional Government Pleader appearing for the first and second respondents and the learned counsel for the private respondents.

2.The case of the petitioner is that a property belonging to the petitioner's trust was unlawfully and is legally alienated. They submitted a petition before the first respondent for declaring the petition-mentioned sale deed as fraudulent. The first respondent vide proceedings dated 08.12.2022 relegated the petitioner to move the jurisdictional civil court. Challenging the same, this present writ petition came to be filed.



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3.The documents in question are of the year 2002 and 2003. I am of the view that the first respondent rightly relegated the petitioner to go before the jurisdictional civil court. Interference is not warranted. If the petitioner files any civil suit within a period of four weeks from the date of receipt of copy of this order, the jurisdictional civil court shall dispose of the same within a period of nine months thereafter. The contentions of both parties are left open.

4.This writ petition is disposed of. No costs.

**30.10.2023**

Index : Yes / No  
Internet : Yes / No  
Skm

To

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**G.R.SWAMINATHAN, J.**

SKM

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