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W.P.(MD)NO.3797 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.3797 of 2023

V.Sriram

... Petitioner

Vs.

1. The District Registrar (Administration),
171, Palace Road,
Madurai -1.

2. The Sub Registrar,
Thiruparankundram Sub Registrar Office,
Madurai -5.

3. Balasubramanian

4. Sathyamoorthy

5 Rajeswari

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to conduct enquiry on the petitioner's representation dated 30.01.2023 and to cancel the document Nos.1860 of 2005 and 985 of 2010 on the file of the second respondent within a stipulated period framed by this Court.



For Petitioner : Mr.P.Balamurugan

For R-1 & R-2 : Mr.S.Shanmugavel,
Additional Government Pleader.

* * *

ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for respondents 1 and 2.

2. Considering the nature of relief to be granted, issuance of notice to the private respondents is dispensed with.

3. The petitioner has given representation for cancelling the petition mentioned document. The document in question were executed and registered in the years 2005 and 2010. Vide order dated 02.01.2023 in W.P.(MD)No.6947 of 2019 (E.Geetha Helan Alexandria and Others Vs. The Joint Sub Registrar No.II, Dindigul and Others), I have held that such request cannot be accepted.



4. Since the documents were executed before the issuance of the circulars by the Inspector General of Registration, the first respondent cannot be directed to cancel the documents.

5. This does not mean that I have gone into the merits of the matter. The rights of the petitioner are in no way affected by the dismissal of this writ petition. The petitioner can very well establish his rights in the manner known to law.

6. With the aforesaid clarification and observation, this writ petition stands disposed of.

24.02.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes/ No

PMU

To:

1. The District Registrar (Administration),
171, Palace Road, Madurai -1.
2. The Sub Registrar,
Thiruparankundram Sub Registrar Office,
Madurai -5.



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G.R.SWAMINATHAN,J.

PMU

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