



W.A(MD)No.404 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.04.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.A(MD)No.404 of 2023
and
C.M.P(MD)Nos.4407 & 4410 of 2023**

K.Uma ... Appellant/4th respondent

-VS-

- 1.G.Gokulakannan
- 2.Duvaragai Krishnan ... respondents/writ petitioners
- 3.The Inspector General of Registration,
Santhome High Road,
Santhome,
Chennai.
- 4.The Sub-Registrar,
Thondi Sub-Registrar Office,
Ramanathapuram District.
- 5.Tahsildar,
Thiruvadanai Taluk Office,
Thiruvadanai,
Ramanathapuram District.
- 6.Manikandan ... Respondents/Respondent 1-3, 5

PRAYER: Appeal filed under Clause 15 of Letters Patent, against the order
passed in W.P(MD)No.28200 of 2022, dated 24.01.2023.



For Appellant : Mr.S.Siva Ilayaraja
For R-1 : K.R.Laxman
For R-3 to R-5 : Mr.M.Prakash,
Additional Government Pleader

JUDGMENT

[Judgment of the Court was made by R.SUBRAMANIAN, J.]

Being aggrieved by the order of the Writ Court, dated 24.01.2023. made in W.P(MD)No.28200 of 2022, the appellant has filed this writ appeal.

2. We see no merit in this writ appeal. Admittedly, there is a dispute between the appellant and the respondents 1 and 2, with reference to succession to the estate left behind by their father. There are several civil suits pending. In the meantime, the appellant was able to get a letter from the Tahsildar of Thiruvadanai addressed to the Sub-Registrar at Thondi, requiring the Sub-Registrar not to register documents relating to the property belonging to the parties. The Sub-Registrar refused to register document based on the request made by the Tahsildar. This dragged the respondents 1 and 2 herein to approach this Court with a prayer to quash the communication of the Tahsildar and direct registration of sale deeds. This Court has allowed the writ petition holding that neither the Tahsildar nor the Sub-Registrar, both of whom nowadays behave like local



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Zamindars, have the power to stop registration of documents unless the civil Court issues an order of injunction. Various circulars are issued by the Inspector General of Registration, sans application of mind, which had resulted in several litigations in this Court. This has to stop. Most of the circulars are not backed by statutory Rules or provisions in the Registration Act. This case is a classic example of dilatory tactics adopted by a litigant with the active connivance of the Tahsildar and Sub-Registrar. We do not see any reason to interfere with the order of the Writ Court as the Writ Court has upheld majesty of the civil Court and has cured the cancer that had spread in the minds of the Sub-Registrars and Tahsildars regarding the powers they have. The writ appeal is therefore dismissed. No Costs. Consequently, connected miscellaneous petitions are closed.

[R.S.M., J.]

[L.V.G., J.]

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NCC :Yes/No

Index :Yes/No

PM



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To:

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