



W.P(MD)No.13677 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.06.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.13677 of 2023

Santhalakshmi

... Petitioner

Vs.

1.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai-600 028.

2.The District Registrar (Administration),
Madurai South District Registrar Office,
171, Palace Road, Madurai South,
Madurai-625 001.

3.The Joint Sub Registrar No.IV,
Office of the Sub Registrar,
Bypass Road, Palanganatham,
Madurai-625 003.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second and third respondents to consider the petitioner's representation dated 14.11.2022 requesting them to conduct a detailed enquiry and to pass orders cancelling all the false and fraudulent documents as mentioned in the representation and to pass order within a time limit fixed by this Court.



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For Petitioner : Mr.T.K.Gopalan
For Respondents : Mr.M.Prakash
Additional Government Pleader

ORDER

The petitioner had given representation dated 14.11.2022 to conduct enquiry. This representation was submitted to the District Registrar(Administration), Madurai South who is the second respondent herein. On the basis of the representation, the second respondent had passed an order on 06.01.2023 in N.Ka.No.9729/Aa2/2022. The said official had stated that since C.C.No.230 of 2010 is now pending before the Judicial Magistrate No.I, Madurai, depending on the outcome of the said calendar case, further orders shall be passed. He had deferred the final findings to be given, depending on the out come of the judgment to be delivered in the calendar case.

2. The learned counsel for the petitioner however, placed reliance on the judgment and decree of the civil Court / I Additional Subordinate Court, Madurai, in O.S.No.445 of 2011 dated 20.03.2017.



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3. At any rate, since an order had already been passed by the second respondent, it would only be appropriate that a writ in the nature of certiorarified mandamus is filed to set aside that particular order dated 06.01.2023. A mandamus cannot be issued to the same officer to revisit the said order without setting it aside. To set it aside, a relief should be sought to call for the records and to quash the said order.

4. In view of that particular fact, giving liberty to the petitioner to file appropriate writ petition as certiorarified mandamus, relating to the order dated 06.01.2023 in Na.Ka.No.9729/Aa2/2022, passed by the second respondent. This writ petition stands dismissed. No costs.

12.06.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No

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C.V.KARTHIKEYAN, J.

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To

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