



W.P.(MD)No.15620 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.12.2023

C O R A M

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.15620 of 2021

and

W.M.P.(MD)No.12580 of 2021

1.S.Mohamed Yasin

2.S.Abuthahir

3.M.Senthilkumar

... Petitioners

-VS-

1.The Inspector General of Registration,
No.100, Santhome High Road,
Foreshore Estate, Pattinapakkam,
Chennai – 600 028.

2.The District Registrar (Administration),
Madurai South.

3.The Sub Registrar,
Peraiyur,
Madurai District.

4.M.Mohaideen Abdul Kadhar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned order dated 11.08.2021, in Na.Ka.No.614/Aa2/2021, passed by the second respondent and quash the same.

1/5



W.P.(MD)No.15620 of 2021

For Petitioners : Mr.J.Barathan
For R1 to R3 : Mr.K.S.Selvaganesan
Additional Government Pleader
For R4 : Mr.K.Ragatheeshkumar
for M/s.Isaac Chambers

ORDER

This Writ Petition has been filed challenging the impugned order passed by the second respondent through proceedings, dated 11.08.2021.

2. Heard the learned counsel appearing on behalf of the petitioner, the learned Additional Government Pleader appearing on behalf of the respondents 1 to 3 and the learned counsel appearing on behalf of the fourth respondent.

3. The fourth respondent submitted a Petition on 22.01.2021 before the second respondent on the ground that the sale deed, dated 18.01.2021, that was executed by the petitioners 1 and 2 in favour of the third petitioner, is a fraudulent document and sought for taking action against the petitioners, document writer and also the attesting witnesses. Based on this Petition, an enquiry was conducted by the second respondent. The second respondent



W.P.(MD)No.15620 of 2021

after completion of the enquiry, passed the impugned order dated 11.08.2021.

In the impugned order, the second respondent has given a finding that the sale deed, dated 18.01.2021, is a forged document and has further directed action to be initiated against the document writer, Sub-Registrar, etc. Aggrieved by the same, the present Writ Petition has been filed before this Court.

4. When the matter was taken up for hearing, it was brought to the notice of this Court that the petitioners have already initiated a suit in O.S.No.196 of 2021 before the Subordinate Court, Tirumangalam, and have sought for various reliefs in the suit. The petitioners apart from adding the fourth respondent herein as the first defendant in the suit, have also included three other private parties and the District Registrar, Madurai South and also the Sub-Registrar, Peraiyur, as defendants. In view of the same, it is not necessary for this Court to go into the issues that have been raised in this Writ Petition.

5. It will be left open to the petitioners to work out their remedy in the pending suit. It is made clear that the findings rendered by the District



W.P.(MD)No.15620 of 2021

Registrar in the impugned proceedings, dated 11.08.2021, will not have any bearing and the Civil Court will deal with the issue on its own merits and in accordance with law. It will be left open to both the parties to put forth all their claims / grounds before the Civil Court. By giving such liberty, the rights of both the parties will be safeguarded and their grievance can be redressed before the Civil Court.

6. This Writ Petition is disposed of in the above terms. No costs. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes/No
Index : Yes/No
smn2

20.12.2023

To

- 1.The Inspector General of Registration,
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Chennai – 600 028.
- 2.The District Registrar (Administration),
Madurai South.
- 3.The Sub Registrar,
Peraiyur,
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4/5



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W.P.(MD)No.15620 of 2021

N.ANAND VENKATESH, J.

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W.P.(MD)No.15620 of 2021

20.12.2023