



W.P.(MD)No.16567 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 07.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.16567 of 2021

M/s.Susee Agro Priave Ltd.,
Represented by its,
Managing Director Mr.P.Thangaiya,
No.9/4, Nehru Nagar 2nd Street,
Adyar, Chennai-600 028.

... Petitioner

Vs.

1.The District Registrar (Administration),
Registration Department,
Collectorate Campus,
Dindigul District.

2.The Sub Registrar,
Sub Registrar Office,
Kodaikanal, Dindigul District.

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing 1st respondent to conduct enquiry and pass appropriate orders on the petitioners representation dated 11.12.2020 and 15.07.2021 seeking direction to remove the fraudulent entries in respect of the petitioner property in S.No.1020/1, 1020/2, 1021/2, 1022/5, 1022/7, 1008/5 part, Vilpatty Village, Kodaikannal Taluk, Dindigul District to the extent of 15.40 acres within stipulated time period as may be fixed by this Court.



W.P.(MD)No.16567 of 2021

For Petitioner : Mr.V.Pandiyan
For Respondents : Mr.A.K.Manikkam
Special Government Pleader

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the first respondent to conduct enquiry and pass appropriate orders based on the representation made by the petitioner dated 11.12.2020 and 15.07.2021, wherein the petitioner is seeking for removal of fraudulent entries made in the encumbrance certificate with respect to the subject property.

2.The petitioner is seeking removal of nearly 15 entries that were made during the period from 1991 to 2017.

3.The learned Special Government Pleader submitted that the relief has been sought for by the petitioner, without challenging the execution of the documents and therefore, the present writ petition is not maintainable.

4.In the considered view of this Court, the entries made in the encumbrance certificate cannot be cancelled for a mere asking. This process will involve indirectly, setting at nought the documents that were executed.



W.P.(MD)No.16567 of 2021

That apart, the writ petition has been filed even without adding the interested parties, whose documents are attempted to be cancelled.

5.Hence, the relief sought for by the petitioner cannot be granted by this Court and the order passed by this Court in W.P.(MD)No.10177 of 2021 and the circular issued by the Inspector General of Registration dated 09.07.2021, will not come to the aid of the petitioner.

6.In view of the above, this Writ Petition is dismissed. No costs.

07.11.2023

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

- 1.The District Registrar (Administration),
Registration Department,
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- 2.The Sub Registrar,
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W.P.(MD)No.16567 of 2021

N.ANAND VENKATESH, J.

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W.P.(MD)No.16567 of 2021

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