



WP (MD) No.17721 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.17721 of 2022

and

WMP(MD)Nos.12912 and 18278 of 2022

S.Pandiarajan

... Petitioner

Vs

1.The District Registrar (Admin),
Registration Department,
Virudhunagar District,
Virudhunagar.

2.The Deputy Inspector General of Registration,
Madurai Region,
Registration Department,
Madurai District.

3.The Sub Registrar,
Registration Department,
Sivakasi, Virudhunagar District.

4.Jaya Chandra

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of mandamus to call for the records on the file of the 1st respondent vide proceedings No.Na.Ka.No.5861/Aa4/2021 dated 30.06.2022 and quash the same as illegal and devoid of merits and further direct the respondents to



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conduct further fresh enquiry by providing reasonable opportunity to call concerned parties.

For petitioner : Mr.Raja.Karthikeyan
For Respondent : Mr.G.V.Vairam Santhosh
Nos.1 to 3 Additional Government Pleader
For Respondent : Mr.S.Thangaraj
No.4

ORDER

This writ petition is filed challenging the order passed by the District Registrar under Section 68(2) of the Tamil Nadu Registration Act.

2.The learned Counsel for the petitioner submits that the impugned order has been passed based on the application of the 4th respondent. It is to be noted that similar application has been filed by the petitioner as against document registered in favour of the 4th respondent. However, the District Registrar without considering the application filed by the petitioner as against the 4th respondent, has considered the application filed by the 4th respondent alone as against the petitioner and passed orders. Only after notice in a contempt petition, the District Registrar has passed orders on the petitioner's application on 27.12.2022. A copy of the order is also placed before this Court.



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3.The learned Special Government Pleader appearing for the official respondents submits that the petitioner is having an appeal remedy before the Deputy Inspector General of Registration.

4.The petitioner is having an appeal remedy before the Deputy Inspector General of Registration and it is also mentioned in the impugned order itself. Therefore, this Court is not inclined to entertain this writ petition. Accordingly, this writ petition is disposed of with liberty to the petitioner to file appeal as against the orders passed by the District Registrar in Na.Ka.No.5861/Aa4/2021, dated 30.06.2022 and Na.Ka.No.5557/Aa4/2022, dated 27.12.2022 within a period of 15 days from the date of receipt of a copy of this order and on such filing of the appeals, the respondents shall proceed with the appeals without sticking on to the limitation aspect and decide the appeals as expeditiously as possible. No costs. Consequently connected miscellaneous petitions are closed.

18.07.2023

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Registration Department,
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B.PUGALENDHI, J.

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