



W.P(MD)No.13433 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.07.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.13433 of 2014

and

M.P.(MD)Nos.1, 2, 3 and 4 of 2014

Kanyakumari District Brotherhood Welfare Trust,

Rep. by its President,

Rev.Fr.Maria Susai.

... Petitioner

Vs.

1.The District Registrar,

Maarthandam,

Kanyakumari District.

2.The Sub-Registrar,

Verkilambi Sub-Registrar Office,

Kanyakumari District.

3.J.Helan Jeyakumari

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records relating to the impugned order passed by the 1st Respondent in Application No.1 of 2013 dated 31.07.2014 and quash the same as illegal and arbitrary.



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For Petitioner : Mr.K.Gurunathan

For Respondents : Mr.D.Gandhiraj,
Spl. Government Pleader for R1 & R2.
Mr.C.K.M.Appaji for R3.

ORDER

Heard the learned counsel on either side.

2.The petitioner challenges the order passed by the first respondent directing registration of the document said to have been executed by the writ petitioner. The writ petition was filed on 12.08.2014 and it was listed for admission on 14.08.2014. An interim order was also granted. But on 12.08.2014, the document itself had been registered and subsequently released. In these circumstances, nothing survives for further adjudication in this writ petition.

3.The learned counsel for the petitioner states that the third respondent herein has filed O.S.No.39 of 2015 on the file of Principal



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District Court, Kanyakumari seeking the relief of recovery of possession and permanent injunction. The suit was dismissed on 25.07.2018 after contest. The third respondent is said to have filed appeal suit. The rights of the parties will abide by the outcome of the civil proceedings.

4.This writ petition is dismissed as infructuous. No costs.
Consequently, connected miscellaneous petitions are closed.

06.07.2023

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

- 1.The District Registrar,
Maarthandam,
Kanyakumari District.
- 2.The Sub-Registrar,
Verkilambi Sub-Registrar Office,
Kanyakumari District.



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