



W.P(MD)No.16417 of 2014

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.07.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.16417 of 2014

and

MP(MD)No.2 of 2014

1.S.H.Saleem
2.A.Abdul Bari
3.A.Jaffar
4.A.M.Raja
5.M.J.Noordeen
6.M.Jain Allaudin
7.A.K.Mohamed Moideen

... Petitioners

Vs

- 1.The State represented by
The Secretary to Government,
Commercial Taxes and Registration Department,
Fort St. George,
Chennai – 9.
- 2.The Inspector General of Registration
Chennai – 600 028.
- 3.The District Registrar (Admin),
Madurai.
- 4.The Sub-Registrar
District Registrar Cadre,



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Arasaradi,
Madurai.

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5.The Inspector of Police
D-1, Tallakulam Police Station,
Madurai City.

6.N.Palanivelu

7.P.Umarani

8.D.Indira

9.Ganesan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the third respondent to initiate proceedings to cancel the sale deeds registered on the file of fourth respondent dated 01.09.2014 bearing Document Nos. P.78, P.79 and P.80 executed by the deceased executant by name K. Jamal Mohamed, erstwhile Managing Trustee of Shri.K.M.Allaudian Rowther Dharma Trust, Madurai under Circular No. 67 dated 03.11.2011 issued by the second respondent on the basis of the representation of the petitioners dated 18.09.2014.

For Petitioners : Mr.A.Rahul

For Respondent : Mr.S.Shanmugavel
Additional Government Pleader
for R.1 to R.5

No Appearance for R.9

ORDER

Heard the learned counsel appearing for the petitioners and the learned Additional Government Pleader appearing for the official respondents.



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2. The prayer in this writ petition is for cancelling the petition mentioned documents.

3. The registering authority has filed counter affidavit and the learned Additional Government Pleader took me through its contents. It is seen there from that the petition mentioned documents have not been registered and they are still pending. Therefore, the question of entertaining the writ petition does not arise at all. This writ petition has been prematurely filed.

4. Leaving open the rights of the petitioners, this writ petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

04.07.2023

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

To

1.The Secretary to Government,
Commercial Taxes and Registration Department,
Fort St. George,
Chennai – 9.



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MGA

- 2.The Inspector General of Registration,
Chennai – 600 028.
- 3.The District Registrar (Admin),
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- 4.The Sub-Registrar
District Registrar Cadre,
Arasaradi, Madurai.
- 5.The Inspector of Police
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