



W.P(MD)No.3967 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.09.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.3967 of 2015

and

M.P(MD)No.1 of 2015

S.Yegappan

... Petitioner

Vs.

1.The Inspector General of Registration,
Chennai – 600 028.

2.The District Registrar (Admin),
Thirupathur Road,
Sivagangai District.

3.Singaram

4.S.Chandran

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the second respondent in Na.Ka.No. 2159/AA1/2013 dated 01.12.2014 and quash the same and consequently directing the second respondent herein to conduct enquiry on the representation of the petitioner dated 27.06.2013 under the Registration



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Act and as per the Circular No.67 dated 03.11.2011 issued by the first respondent herein against the respondents 3 & 4 herein with a reasonable time.

For Petitioner : Mr.S.Srinivasa Raghavan

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader
for R.1 and R.2

Ms.M.Jansi Rani for R.3

ORDER

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

2. The petitioner invoking circular 67 dated 03.11.2011 wanted the second respondent to nullify the petition mentioned documents.

3. The second respondent declined to do so and relegated the petitioner to move the jurisdictional civil Court. The issue between the petitioner on the one hand and the private respondents on the other is the subject matter of O.S.No.40 of 2013 on the file of the District Court, Sivagangai. It is not in dispute that Circular No.67 has been withdrawn.



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The orders passed thereunder have been directed to be recalled. In this view of the matter, the order impugned in this writ petition is set aside.

The resultant effect is vacating of the findings set out therein. However, this Court cannot give any positive relief in favour of the petitioner. The petitioner has to necessarily pursue his remedy in the pending partition suit to which he is a party.

4. With this liberty to the petitioner and leaving open all his contentions, this writ petition is partly allowed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

15.09.2023

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

To

1. The Inspector General of Registration,
Chennai – 600 028.
2. The District Registrar (Admin),
Thirupathur Road,
Sivagangai District.



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G.R.SWAMINATHAN,J.

MGA

Copy to

The District Court, Sivagangai.

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