



W.P.(MD)No.22031 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.11.2023

C O R A M

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.22031 of 2021

and

W.M.P.(MD)No.3338 of 2022

A.Neelakandan

... Petitioner

-VS-

- 1.The Inspector General of Registration,
100, Santhome Road, Chennai - 600 028.
- 2.The Deputy Inspector General of Registration,
Integrated Registration Office Complex,
S.T.Marks Street, Near Sankar Colony,
Backside of John Higher Secondary School,
Tirunelveli – 627 002.
3. The District Registrar,
Kanyakumari District, Nagercoil.
- 4.The Sub Registrar,
Kottaram Sub Registrar Office, Kottaram,
Kanyakumari District.
- 5.Sankaran Pillai

6.Arumugam Pillai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India,
to issue a Writ of Mandamus, directing the third respondent to conclude the



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enquiry proceedings in Na.Ka.No.4092/A1/2021, invoked on the basis of petitioner's representation dated 27.07.2021, on merits and in accordance with law, within a time stipulated by this Court.

For Petitioner : Mr.P.M.Vishnuvarthanan
For R1 to R4 : Mr.A.K.Manikkam
Special Government Pleader
For R5 and R6 : Mr.G.Anto Prince

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the third respondent to conclude the enquiry proceedings, based on the representation made by the petitioner on 27.07.2021.

2. The case of the petitioner is that the respondents 5 and 6 have forged and fabricated a Partition Deed, dated 19.04.2000. The petitioner therefore made a complaint before the third respondent in this regard for cancellation of the document. Since the same was not considered, the present Writ Petition was filed before this Court.



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3. In the considered view of this Court, the sixth respondent has already filed a civil suit in O.S.No.214 of 2020 seeking for the relief of recovery of possession. This suit has been filed against the petitioner. The suit itself has been laid based on the partition deed, dated 19.04.2000. Therefore, it is always open to the petitioner to question the said document in the pending suit by way of a counter claim and put forth all the grounds before the Civil Court. In the light of the pending suit, there is no question of directing the third respondent to conduct the enquiry. Except giving this clarity, no further orders can be passed in this Writ Petition.

4. This Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes/No

Index : Yes/No

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N.ANAND VENKATESH, J.

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