



W.P.(MD)No.27576 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 03.01.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.27576 of 2022

A.Rahamathullah

... Petitioner

Vs.

1.The District Registrar, (Administration),
Registration Department, Madurai North,
Rajakambeeram, Y.Othakadai,
Madurai District-107.

2.H.A.Nijamudeen
3.Salmania
4.Sakila Banu
5.Vahitha Banu

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiarari, calling for the records relating to the notice dated 01.11.2022 issued by the first respondent in his Na.Ka.No. 6574/m2/2022-1 quash the same.

For Petitioner	: Mr.D.Malaichamy
For Respondents	: Mr.N.Satheeskumar (for R1) Additional Government Pleader Mr.K.Muthu Ganesa Pandian (for R2 to R5)



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ORDER

Heard the learned counsel on either side.

2. The petitioner challenges the impugned notice dated 01.11.2022 issued by the first respondent based on the complaint of the private respondents. I granted interim stay, since the learned counsel for the petitioner made submission that the jurisdictional civil Court seized of the very same issue. My attention was drawn to the suit prayer made in O.S.No.185 of 2015 on the file of the learned VI Additional District Judge, Madurai. One of the prayers made in the suit was that the petition mentioned document must be declared as null and void.

3. Today, it is now brought to my notice by the learned counsel for the respondents that the said suit has since been decreed *ex-parte* and that I.A.No.723 of 2021 filed by the petitioner suffered dismissal for non-prosecution on 21.02.2022. The learned counsel appearing for the private respondents alleges that he was constrained to move the first respondent because notwithstanding the passing of the decree, the petitioner is endeavouring to alienate the suit property. The decree is



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operating against the writ petitioner, what is under challenge is only notice. Hence, the question of interfering does not arise. The Writ Petition is dismissed accordingly. No costs.

03.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Rmk

To

The District Registrar, (Administration),
Registration Department, Madurai North,
Rajakambeeram, Y.Othakadai,
Madurai District-107.



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G.R.SWAMINATHAN,J.

Rmk

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