



W.P.No.560 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.560 of 2024

and

W.M.P.Nos.550 & 712 of 2024

1. R.Abdul Subhan

2. Rahana Sultana

Represented by their power agent

A.Munwar Khan,

No.27/102, Veerabadra Achari Street,

Pudupet, Chennai – 600 002.

... Petitioners

Vs.

1. The Inspector General of Registration,
No.100, Santhome High Road,
Chennai – 28.

2. The District Registrar,
Chennai Central,
No.182, Bharathi Salai,
Chennai – 600 014.

3. The Sub Registrar,
Periamet,
Chennai – 600 003.

4. Pushpa



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5. Suseela

6. V.Alamelu

7. P.J.A.Arumugham
Respondents

...

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari to call for the records of the proceedings of the second respondent in Na.Ka.No.1815/Aa2/2023 dated 09.10.2023 and to quash the same.

For Petitioners : Mr.Manoj Sreevalsan

For R1 to R3 : Mr.R.U.Dinesh Rajkumar
Additional Government Pleader

ORDER

This Writ Petition has been filed to issue a Writ of Certiorari to call for the records of the proceedings of the second respondent in Na.Ka.No.1815/Aa2/2023 dated 09.10.2023 and to quash the same.

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



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3. Since there is no adverse order passed against the private respondents, notice to the private respondents is dispensed with.

4. It is the contention of the petitioners that the private respondents filed a petition before the second respondent against the petitioners for cancellation of settlement deed executed by the first petitioner herein. Without considering the fact that this Court stayed the proceedings under Section 77-A of the Registration Act, the second respondent passed the impugned order. Hence the petitioner filed the appeal before the first respondent. The first respondent sent a reply stating that the appeal will not be taken until further orders from the Larger Bench of this Court.

5. Since the subject matter has been seized of by the Division Bench of this Court, this Court cannot pass order on merit. The petitioners have to work out their remedy either before the Civil Court or before the appellate authority, if they are so advised.



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6. With the abovesaid direction, the Writ Petition is disposed of.

There shall be no order as to costs. W.M.P.No.550 of 2024 is ordered on payment of separate court fees by each of the petitioners. Consequently, connected miscellaneous petition in W.M.P.No.712 of 2024 is closed.

11.01.2024

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

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No.100, Santhome High Road,
Chennai – 28.
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Chennai – 600 014.
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P.VELMURUGAN, J.

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