



W.P.No.13934 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.13934 of 2021

and

W.M.P.No.14804 of 2021

T.Chitrakala

... Petitioner

Vs.

1. The Inspector General of registration,
No. 100 Santhome High Road,
Santhome,
Chennai 600 028.

2. A. Amudha

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records of the 1st respondent pertaining to file No.1534 / U4 / 2020 dated 28.04.2021 to quash the same and consequently direct the 1st respondent to restore the sale deed bearing document No. 150/ 2019 dated 09.01.2019 on the file of SRO Thiruvotriyur.



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For Petitioner : Mr.M.Kalyanasundaram, SC
for Mr.B.Tamilmaran

For R1 : Ms.Akila Rajendran
Government Advocate

For R2 : Mr.K.G.Vasudevan

ORDER

This Writ Petition has been filed to issue a Writ of Certiorarified Mandamus to call for the records of the first respondent pertaining to file No.1534 / U4 / 2020 dated 28.04.2021 and to quash the same and consequently to direct the first respondent to restore the sale deed bearing document No. 150/ 2019 dated 9.01.2019 on the file of SRO Thiruvotriyur.

2. Heard the learned counsel appearing for the petitioner, the learned Government Advocate appearing for the official respondent and the learned counsel for the private respondent.



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3. It is the contention of the petitioner that one Amerandran executed a sale deed dated 09.01.2019 in favour of the petitioner for a valid sale consideration and the same is registered as document No.150/2019 on the file of S.R.O, Thiruvotiyur, Chennai. The private respondent had filed a complaint before the first respondent to cancel the sale deed which was registered in favour of the petitioner. The first respondent passed the impugned order dated 28.04.2021 stating that the sale deed is not maintainable. The present writ petition has been filed to quash the impugned order passed by the first respondent.

4. It is seen that there is a civil dispute between the petitioner and the private respondent herein which requires oral and documentary evidence and the same cannot be decided in the writ petition. Both the orders passed by the Registering authorities are set aside. Since the right, title and interest of the parties are involved in the subject matter, the parties are at liberty to work out their remedy before the Civil Court.



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

There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

29.01.2024

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

The Inspector General of registration,
No. 100 Santhome High Road,
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Chennai 600 028.



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P.VELMURUGAN, J.

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