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WP.No.14013 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

WP.No.14013 of 2023

A.Palanivel

Petitioner

Vs

1. The Inspector General of Registration, Puducherry
2. The District Registrar, Puducherry
3. The Sub Registrar, Oulgarate, Puducherry

4. K.Rathinavelu

Respondents

Prayer:- This Writ Petition has been filed, under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the 1st Respondent to dispose of the unnumbered appeal filed by the Petitioner on 22.02.2023 in accordance with law, within a time frame.

For Petitioner : Ms.G.Sumitra

For Respondents : Mrs.V.Usha, AGP(Pondy)-RR1 to 3
No Appearance-R4

ORDER

1. This Writ Petition is filed to issue a Writ of Mandamus to direct the 1st Respondent to dispose of the unnumbered appeal filed by the Petitioner on 22.02.2023 in accordance with law, within a time frame.
2. This Court heard the learned counsel on either side and considered their submissions and also perused the materials placed on record.
3. Based on a petition filed by the 4th Respondent, challenging the documents



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executed right from the year 1980, the order dated 15.02.2023 came to be passed by the 2nd Respondent, cancelling the said documents and as against the same, the Petitioner has filed an unnumbered appeal before the 1st Respondent and it is pending for consideration. Hence, this Writ Petition has been filed, seeking the relief as stated above.

4. On a perusal of the order of the 2nd Respondent, it is seen that the 2nd Respondent has exceeded its jurisdiction and converted himself into a Civil Court and passed orders, by going into the disputed questions of title. This Court in various authorities has held that the Registering Authority cannot go into the disputed questions of title. One such case is **G.Rajasulochana Vs. The Inspector General of Registration and others (WP.No.29706 of 2024, order dated 16.04.2024)**. However, it is for the Petitioner to challenge the order of the 2nd Respondent, in a manner known to law. Hence, this Writ Petition is not maintainable.
5. In fine, this Writ Petition is dismissed, with a liberty to the Petitioner to challenge the impugned order, in a separate Writ Petition. No costs.

08.07.2024

Index:Yes/No
Web:Yes/No
Speaking/Non Speaking
Neutral Citation: Yes/No
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To

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N.SATHISH KUMAR, J.

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