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WP.No.17595 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.17595 of 2023

Selvaraj

.. Petitioner

Versus

1.The Inspector General of Registration
Registration Department
100, Santhome Main Road
Manthavelipakkam, Rajaannamalaipuram
Chennai – 600 028

2. The District Registrar
O/o. District Registrar
RTO Backside
Namakkal, Namakkal District

3.Jayashri
4.Ganesaraj
5.Thirumathi Angammal
6.Viswantharaja

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 and 2 to conduct proper enquiry and to cancel the document viz, Release deed dated 08.03.2024 document No.1250/2024 at Sub Registrar of Paramathi, Namakkal District also to take necessary action against the 3rd respondent based on the representation of the petitioner dated 11.03.2024.

<https://www.mhc.tn.gov.in/judis> For Petitioner : Mr.R.Muruga Bharathi



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For Respondents : Mr.L.S.M.Hasan Fizal for R1 & R2
Additional Government Pleader

ORDER

This writ petition has been filed seeking for a direction, directing the respondents 1 and 2 to conduct proper enquiry and to cancel the document viz, Release deed dated 08.03.2024 document No.1250/2024 at Sub Registrar of Paramathi, Namakkal District also to take necessary action against the 3rd respondent based on the representation of the petitioner dated 11.03.2024.

2. It is the case of the writ petitioner that he has advanced a sum of Rs.9 lakhs to the third respondent and the third respondent has executed a pro-note. However, he has not paid. The petitioner filed insolvency proceedings as against the third respondent. The third respondent executed partition deed and release deed. Hence, in this regard, he has given a representation for conducting enquiry for cancelling the document.

3. Heard both sides and perused the materials placed on record.

4. By consent of both parties, this writ petition is taken up for final disposal in the admission stage itself.

5. At the outset, this Court is of the view that such representation cannot



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be entertained by the Registrar which is a civil dispute. If at all the petitioner is of the view that document has been executed to defeat the rights of the creditors, he should have first prove the debt in a competent forum and seek a relief in the civil court not by way of filing writ petition.

6. Accordingly, I do not find any merits in the case and this writ petition stands dismissed. No costs.

04.07.2024

dhk

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No

To

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Registration Department
100, Santhome Main Road
Manthavelipakkam, Rajaannamalaipuram
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2. The District Registrar
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N. SATHISH KUMAR, J.



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