



WEB COPY

W.P. No.35551 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.35551 of 2023 and
W.M.P. No.35500 of 2023

Nagarajan

... Petitioner

Vs.

1. The District Registrar

Chennai South Registration District
District Registrar (Administration) Office,
Ground Floor,
Combined Commercial Tax and Registration Building,
Veterinary Hospital Road,
Fanapet, Nandanam, Chennai - 600 035

2. M/s. Tamil Nadu Chemists & Druggists Educational Trust

Represented by its Executive Trustee Mr.K.K.Selvam
No.1 & 2/305, Rajiv Gandhi Salai,
Thoraipakkam, Chennai - 600 097

3. Tangirala Infrastructure Development Pvt. Ltd.

Registered Office at No.7-21, Sakthi Garden,
DB Jain College Hostel Road, Thoraipakkam,
Chennai - 600 096

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorari to call for the records relating to complaint dated October 2022 filed by the 2nd respondent in proceedings No.20548/E2/2022 and consequential Notices dated May 2023 and 24.07.2023 in proceedings No.20548/E2/2022 issued by the 1st respondent and quash the same.



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For Petitioner : M/s.Sai Srujan Tayi

For Respondents : Ms.Akila Rajendran
Government Advocate for R1

ORDER

This Writ Petition is filed seeking a Writ of Certiorari to call for the records relating to complaint dated October 2022 filed by the 2nd respondent in proceedings No.20548/E2/2022 and consequential Notices dated May 2023 and 24.07.2023 in proceedings No.20548/E2/2022 issued by the 1st respondent and quash the same.

2. The case of the petitioner is that he is a bonafide purchaser of a residential house under the Sale Deed of the year 2015. His Vendor purchased the property way back in the year 2007. A dispute with regard to bounary is pending adjudication in WP. No.14481/21 filed by one M/s.Tamil Nadu Chemists & Druggists Educational Trust. While so, after amendment of Section 77(A) of the Registration Act, a complaint has been filed by the said Trust to cancel the parent title deed and related Power of Attorneys. Pursuant



to the complaint, the petitioner received the impugned notice issued by the 1st respondent. Aggrieved by the same, the petitioner has filed the present writ petition.

3. Heard and perused the materials available on record.

4. The Inspector of General of Registration has issued a circular based on the conflicting views between the learned single judges of the Principal Bench of this Court and Madurai. It is seen that the said notice has been issued prior to the issuance of the said circular. However, the same is still pending for enquiry. It is only a notice. The petitioner shall either approach the 1st respondent and request him to stop the enquiry based on the said circular or he can approach the Inspector General of Registration under Section 77 (B) of the Registration Act seeking a direction to the 1st respondent to stop the proceedings and instead of doing the same, the petitioner has approached this Court by way of this writ petition. Further, the enquiry date mentioned in the said notice is already over and still the matter is pending.



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5. Therefore, there is an alternate remedy to the petitioner where he can approach the Inspector General of Registration and work out his remedy.

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6. With the above directions, this Writ Petition is disposed of. Consequently connected Miscellaneous Petition is closed. There shall be no order as to costs.

02.01.2024

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

To

The District Registrar
Chennai South Registration District
District Registrar (Administration) Office,
Ground Floor,
Combined Commercial Tax and Registration Building,
Veterinary Hospital Road,
Fanapet, Nandanam, Chennai - 600 035



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P.VELMURUGAN. J.

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