



WEB COPY



W.P.No.35004 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.35004 of 2023

and

W.M.P.No.34928 of 2023

S.Syed Mustafa
S/o.Sulthan Shayabu

... Petitioner

versus

1. The District Registrar (Administration),
District Registrar Office,
Namakkal.

2. Mubarak Ali
S/o.Sulthan Shayabu

.....Respondents

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the entire records relating to the impugned notices dated 06.11.2023 and 21.11.2023 issued by the 1st respondent in Na.Ka.No.8424/B1/2023 and quash the same and consequently, directing the 1st respondent to relegate the parties to Civil Court.

For Petitioner : Mr.J.Titus Enock

For Respondents : Mr.A.Selvendran
Special Government Pleader, for R1



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ORDER

Mr.A.Selvendran, learned Special Government Pleader accepts notice for the first respondent. Since this writ petition is being disposed of without passing any adverse orders against the second respondent, affecting his interest, notice to the second respondent is dispensed with.

2. This writ petition has been filed seeking to quash the impugned notices dated 06.11.2023 and 21.11.2023, respectively issued by the first respondent and direct the first respondent to relegate the parties to Civil Court.

3. The petitioner has challenged the impugned notices calling upon him to appear before the first respondent on 15.11.2023 and 18.12.2023 and produce necessary original documents.

4. Needless to say that this Court, at this stage, will not interfere with the said notices/summons, as it is for the petitioner to raise all the



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contentions as raised in the writ petition before the authority, who issued the notices. Instead of doing so, the petitioner filed the present writ petition, questioning the notices/summons, which is not a proper course of action and thus, the same cannot be entertained by this Court.

5. Accordingly, this Writ Petition is dismissed without expressing any opinion on the merits of the matter, however, by granting liberty to the petitioner to work out his remedy in the manner known to law. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

02.01.2024

Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No

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To

The District Registrar (Administration)
District Registrar Office
Namakkal.

Pg.Nos.3/4



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P.VELMURUGAN, J.

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