



W.P(MD)No.385 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.04.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.385 of 2024

and

W.M.P.(MD)Nos.391, 392 and 393 of 2024

Muniappan

... Petitioner

Vs.

1.The Inspector General of Registration,
Santhom, Chennai-4.

2.The District Registrar,
District Collector Office Campus,
Karur.

3.The Joint Sub Registrar No.1,
District Collector Office Campus,
Karur.

4.Karunaneethi

5.Kalpana

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records of the 2nd respondent in Na.Ka.No.2125/A1/2023, dated 07.07.2023 and quash the same as illegal.



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For Petitioner : Mr.S.Muthukrishnan

For Respondents : Mrs.D.Frasana Ghoushia,
Spl. Government Pleader for R1 to R3.
Mr.P.Dhanasekaran for R4 & R5.

ORDER

Heard both sides.

2.The petitioner challenges the impugned order dated 07.07.2023 passed by the second respondent in favour of fourth respondent directing the registering authority to entertain the document that may be presented by the fourth respondent.

3.The petitioner questions the same primarily on two grounds. (a) He was not put on notice. (b) The civil suit filed by the petitioner is presently pending before the Sub Court, Karur and Karunaneethi is figuring as the sole defendant.

4.The learned Special Government Pleader informs the Court that pursuant to the impugned order, the document was registered on 17.07.2023 itself. The writ petition came to be filed only in January 2024. Thus, the writ petition was infructuous at the very inception. The rights of the parties will abide by the civil suit instituted by the writ petitioner herein.



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5. Granting liberty to the petitioner to pursue his remedy in the pending suit, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

18.04.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

1. The Inspector General of Registration,
Santhom, Chennai-4.
2. The District Registrar,
District Collector Office Campus,
Karur.
3. The Joint Sub Registrar No.1,
District Collector Office Campus,
Karur.



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G.R.SWAMINATHAN, J.

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