



WP(MD). No.1413 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 29/08/2024

CORAM

The Hon`ble Mr.Justice N.SATHISH KUMAR

**WP(MD). No.1413 of 2023 and
WMP(MD) No.1303 of 2023**

Santhakumar M

... Petitioner

Vs

1. The Deputy Inspector General of Registration,
Tnau Nagar,
Rajakambeeram, Madurai..

2. The District Registrar,
Karaikudi, Sivagangai District..

3. The Sub-Registrar,
Aranthangi, Pudukkottai District..

4. Ramasamy @ Ramaiah. K,
S/o. Karuppaiah Thevar, Nattumangalam
Village, Rethinakkottai Post,
Aranthangi Taluk, Pudukkottai District..

5. Karuppaiah,
S/o. Ramasamy, Nattumangalam Village,
Rethinakkottai Post, Aranthangi Post,
Pudukkottai District..

... Respondents



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PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records pertaining to the impugned order passed by the 1st respondent dated 27.05.2022 in Na.Ka. No.7703/Aa4/2022 and quash the same as illegal.

For Petitioner : M/s. Mohan A,
For Respondents : Mr.N.Balakrishnan for R5
Mr.M.Siddharthan for R1 to R3
Additional Government Pleader
No appearance for R4

ORDER

The impugned order of the 1st respondent has been challenged in this writ petition.

2. The 4th respondent has given a complaint to cancel the document registered in the name of the petitioner in the year 2016 in Doc.No. 3537/2016 on the ground that the document has been forged taking benefit and using the similar name of the father of the 4th respondent. However, the original authority has rejected the complaint. On appeal, the appellate authority, without cancelling the document, has held that no further document should be registered and a criminal action also sought to be initiated.



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3. I have considered the rival submissions and perused the materials available on record.

4. It is relevant to note that after filing of the suit by the respondent in O.S.No.31/2019 for declaration and recovery of possession, the complaint had been given by the 4th respondent. The said suit is still pending and no orders have been passed. When the civil Court has seized of the matter, without any materials and just an assumption, the present impugned order came to be passed. Since the authorities have no right to decide these issues, the impugned order stand quashed. The parties shall agitate their rights in the pending suit.

5. The writ petition is disposed of with the above direction. No costs. Consequently connected Miscellaneous Petition is closed.

29.08.2024

NCC : Yes/No
Index : Yes/No
RR

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N.SATHISH KUMAR,J

RR

**ORDER
IN
WP(MD) No.1413 of 2023**

Date : 29/08/2024