



WP(MD). No.2446 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 29/08/2024

CORAM

The Hon`ble Mr.Justice N.SATHISH KUMAR

**WP(MD). No.2446 of 2023
and WMP(MD) Nos.2234 and 22204/2023**

Angusamy. A.R

... Petitioner

Vs

1. The Inspector General of Registration,
No. 100, Santhome High Road,
Mullima Nagar, Mandavelipakka, Raja
Annamalaipuram, Chennai- 600 028..

2. The Deputy Inspector General,
Thiruvathavur Road, Ramakrishna Nagar,
Rajakambeeram, Madurai- 625 107..

3. The District Registrar (Administration),
Office of District Registrar,
No.1a, Thirupathur Road,
Sivagangai, Sivagangai District- 630 561..

4. The Sub Registrar No.Ii,
Sivagangai, Sivagangai District- 630 561..

5. Sangan P,
S/o. Periyasamy, No. 3924, Thirunagar,
Kalaiyarkoil, Sivagangai- 630 561..

... Respondents



WP(MD). No.2446 of 2023

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 relating to the impugned proceedings in Na.Ka.No. 2220/E1/2021 dated 18.10.2021 issued by the 3rd respondent and impugned show cause notice in Na.Ka.No. 5469/E1/ 2022 dated 18.01.2023 issued by the 3rd respondent and quash the same.

For Petitioner : M/s. Kannan. Al,
For Respondents : Mr.P.Subbaraj for R1 to R4
Special Government Pleader
Mr.S.Alagusundar for R5

ORDER

This writ petition has been filed challenging the order of the 3rd respondent dated 18.10.2021.

2. The case of the petitioner is that he has purchased the subject property from the 5th respondent, who is well known to him. However, due to dispute between the petitioner and the 5th respondent, the 5th respondent has preferred a complaint against the petitioner alleging fraud and prays for cancellation of the document already executed in favour of the petitioner herein. The petitioner has also filed a suit, which came to be dismissed for non prosecution, against which, restoration petition has



WP(MD). No.2446 of 2023

also been filed. While so, the impugned order has been passed relegating the parties to the civil Court and impugned enquiry notice has also been issued for the appearance of the petitioner.

3. It is to be seen that without foundational facts as recorded in *Satya Pal Anand v. State of M.P.*[2016 10 SCC 767] and *G. Rajasulochana v Inspector General* made in *W.P 29706 of 2024 dated 16.04.2024*, the impugned order came to be passed. Therefore, the writ petition is allowed and the impugned notice is quashed. It is for the parties to establish their rights before the civil Court. No costs. Consequently connected Miscellaneous Petitions are closed.

29.08.2024

NCC : Yes/No
Index : Yes/No

RR



WP(MD). No.2446 of 2023

TO

1. The Inspector General of Registration,
No. 100, Santhome High Road,
Mullima Nagar, Mandavelipakka, Raja
Annamalaipuram, Chennai- 600 028..
2. The Deputy Inspector General,
Thiruvathavur Road, Ramakrishna Nagar,
Rajakambeeram, Madurai- 625 107..
3. The District Registrar (Administration),
Office of District Registrar,
No.1a, Thirupathur Road,
Sivagangai, Sivagangai District- 630 561..
4. The Sub Registrar No.Ii,
Sivagangai, Sivagangai District- 630 561..



WEB COPY



WP(MD). No.2446 of 2023

N.SATHISH KUMAR,J

**ORDER
IN
WP(MD) No.2446 of 2023**

Date : 29/08/2024