



1

W.P.(MD)NO.4298 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 26.02.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.4298 of 2024 AND
W.M.P.(MD)No.4130 of 2024

Palaneeswari

... Petitioner

Vs.

1. The District Registrar(Admin.),
O/o.the District Registrar,
Periyakulam,
Theni District.
2. The Sub Registrar,
O/o.the Sub Registrar,
Periyakulam,
Theni District.
3. R.Murugesan
4. Amutha
5. Jayalakshmi
6. M.Murugan
7. M.Vel Murugan
8. The Tahsildar,
O/o.the Bodinaikkanur Taluk Office,
Bodinaickanoor,
Theni District.
9. The Village Administrative Officer,
Boothi Puram Village,
Bodinaikkanur Taluk,
Theni District.

... Respondents



Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified mandamus, calling for the records pertaining to the impugned order issued by the 1st respondent in his proceedings in Na.Ka.No.376/E2/2024 dated 29.01.2024 and quash the same as illegal and unconstitutional and consequently directing the 8th and 9th respondent for conducting a detailed enquiry with regard to the issuance of the Legal Heir ship Certificate in favour of the 3rd respondent.

For Petitioner : Mr.R.Varadharajan

For R-1, R-2,
R-8 & R-9 : Mr.D.S.Nedunchezhiyan,
Government Advocate.

* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Government Advocate appearing for respondents 1,2, 8 and 9.

2. The petitioner had given a complaint under Section 77A of the Registration Act before the first respondent. The first respondent informed the petitioner vide communication dated 29.01.2024 that the instruction has been received from the IG of Registration that enquiry should not be commenced or conducted under the said provision. The first respondent has further stated that based on the further instructions



received from the IG of Registration, enquiry will be conducted. This stand of the first respondent is perfectly in consonance with the orders that are being passed by this Court. The question of interference does not arise at all. If the petitioner has any apprehension that the private respondents will alienate the property in the meanwhile, it is for the petitioner to move the jurisdictional civil Court and obtain interim injunction. The order impugned in this writ petition is sustained.

3. With this liberty to the petitioner, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

26.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU

To:

1. The District Registrar(Admin.),
O/o.the District Registrar, Periyakulam, Theni District.
2. The Sub Registrar,
O/o.the Sub Registrar, Periyakulam, Theni District.
3. The Tahsildar,
O/o.the Bodinaikkanur Taluk Office,
Bodinaickanoor, Theni District.
4. The Village Administrative Officer,
Boothi Puram Village, Bodinaikkanur Taluk, Theni District.



WEB COPY



4

W.P.(MD)NO.4298 OF 2024

G.R.SWAMINATHAN,J.

PMU

W.P.(MD)No.4298 of 2024

26.02.2024