



W.P(MD)No.10776 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.07.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.10776 of 2024

Murugeswari

... Petitioner

Vs.

1.The Inspector General of Registration,
No.100, Santhome Highway Road,
Chennai - 28.

2.The District Registrar,
District Registrar Office,
Theni, Theni District.

3.The Sub-Registrar,
Sub-Registrar Office,
Chinnamanur,
Theni District.

4.The Tahsildar,
Taluk Office,
Chinnamanur,
Theni District.

5.Sathish Kumar

6.Poornaselvi

7.Senthattikalai



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8.Kumaresan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 4 to cancel the sale deed in Doc. No.5/2022 dated 23.12.2021 executed in favour of the 8th respondent by the 5th to 7th respondents registered in the 3rd respondent office by using the death certificate of Sermalaiammal without including the petitioner as legal heir to the property.

For Petitioner : Mr.A.Purantharadhasar

For Respondents : Mrs.D.Farjana Ghoushia,
Spl. Government Pleader for R1 to R4.
Mr.C.Jeyaprakash for R8.

ORDER

The petitioner seeks cancellation of the petition mentioned document.

2.The learned counsel for the private respondent points out that the petitioner had already filed O.S.No.97 of 2022 on the file of the District Munsif Court, Uthamapalayam for the very same relief and that the suit was dismissed for non-prosecution on 05.12.2023. The petitioner's counsel states that the petitioner is taking steps to have the suit restored. If that be so, the petitioner has to necessarily pursue her remedy only in the pending suit. Filing the writ petition is not in order.



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3.The writ petition is dismissed with the liberty to the petitioner to pursue her remedy before the Civil Court. No costs.

02.07.2024

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

- 1.The Inspector General of Registration,
No.100, Santhome Highway Road,
Chennai - 28.
- 2.The District Registrar,
District Registrar Office,
Theni, Theni District.
- 3.The Sub-Registrar,
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G.R.SWAMINATHAN, J.

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