



WP(MD). No.373 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 20/09/2024

CORAM

The Hon`ble Mr.Justice N.SATHISH KUMAR

**WP(MD). No.373 of 2019 and
WMP(MD) No.313 of 2019**

C.Prithivirajan,,

... Petitioner

Vs

1. The Inspector General Of Registration,
O/o.The Inspector General of Registration,
Santhome High Road, Chennai..

2. The District Registrar,,
O/o.The District Registrar,
(Administration) Registration Dept.,
Palayamkottai, Tirunelveli..

3. The Sub-Registrar,,
O/o.The Sub-Registrar, Santhankulam,
Tuticorin District.

4. The Tahsildhar,,
Taluk Office Santhankulam, Tuticorin District.

5. Joshuva, S/o.Arumairaj,,

6. Trinishiya Anbarasi,

... Respondents

PRAYER :-Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the



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records in connection with the impugned order passed by the 2nd Respondent in Na.Ka.No:1879/A3/2018, dated 14.09.2018 and quash the same as illegal and consequently directing the competent official Respondents 1,2 & 4 herein to conduct fresh enquiry in respect of the illegally registered document No.176/2003 on the file of the Sub-Registrar, Sathankulam in the light of the revenue records.

For Petitioner : M/s.S.Siva Thilakar,
For Respondent : Mr.P.Subbaraj
Special Government Pleader

ORDER

Challenging the impugned order of the 2nd respondent dated 14.09.2018 and consequently to direct the respondents 1,2 & 4 herein to conduct fresh enquiry in respect of the illegally registered document No. 176/2003 on the file of the Sub-Registrar, Sathankulam in the light of the revenue records, the petitioner is before this Court.

2. The petitioner has given a complaint before the authorities to cancel the document registered in document No.176/2003 on the file of the Sub-Registrar, Sathankulam. It is his contention that the land in S.No.307 measuring 40x40 has been shown as suit property and sold. According to the petitioner, the properties are already subject matter of the Will in Probate OP No.73/2003. Therefore, he gave an application to



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cancel the document. The District Registrar finding that there is a title issue involved relegated the parties to the civil Court. Challenging the said order, the petitioner is before this Court.

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

4. At the outset, this Court is of the view that the order does not require any interference since the registering authority has no power to enter into those issues, as per *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 petitioner is at liberty to work out his remedy before the competent civil court. Accordingly, the writ petition is dismissed. No costs. Consequently connected Miscellaneous Petition is closed.

20.09.2024

RR



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O/o.The District Registrar,
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Palayamkottai, Tirunelveli..
3. The Sub-Registrar,,
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N.SATHISH KUMAR,J

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**ORDER
IN
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