



W.P.(MD)No.16051 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 02.12.2024

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.(MD)No.16051 of 2023

and

W.M.P(MD)Nos.13450 & 13451 of 2023

1.Arangulavan

2.Govindaraj

...Petitioners

-Vs-

1.The Deputy Inspector General of Registration,
Registration Department,
Trichy and District.

2.The District Registrar,
Registration Department,
Pudukottai, Pudukottai Post and Taluk,
Pudukottai.

3.The Sub Registrar,
Registration Department,
Alangudi Sub Registration Office,
Alangudi, Alangudi Post and Taluk,
Pudukottai District.

4.M.Srinivasan

...Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorari, call for the records pertaining to the Impugned Order passed by the 1st respondent in Na.Ka.1651/E1/2022 dated 31.01.2023 by confirming the 2nd respondent proceedings in Pa.Mu.No. 2266/A2/2021 dated 15.03.2022 and quash the same.



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For Petitioners : Mr.R.Murali
For Respondents : Mr.S.P.Maharajan
Special Government Pleader
for RR1 to 5
Mr.H.Lakshmi Shankar
for Mr.D.Ramesh Kumar for R6

ORDER

This writ petition has been filed challenging the Impugned Order passed by the 1st respondent in Na.Ka.1651/E1/2022 dated 31.01.2023 by confirming the 2nd respondent proceedings in Pa.Mu.No.2266/A2/2021 dated 15.03.2022 and quash the same.

2.The petitioner's grandfather one Murugaiyan Chettiar died leaving behind his four sons namely, i)Arangulavan(1st petitioner- the petitioner's father), ii) Chakravarthy iii)Srinivasan(iv) Ramanathan and only one daughter namely Milrani as legal heirs. There was a family partition in the year 1988 and some of the joint family properties were partitioned in the year 1998 and a “Partition Muchalika” dated 20.09.1998 and was executed by the sons of Murugaiyan Chettiar including the petitioner's father and the fourth respondent herein. Accordingly, there was partition effected in respect of the common properties between the sons of the late Murugaiyan Chettiar under a Partition



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Muchalika dated 11.01.2018. Thereafter, the sons of Murugaiyan Chettiar namely, Chakravarthy and Ramanathan jointly executed a sale deed in favour of one Manickam by a registered sale deed, dated 26.09.2002 by referring the portion of Muchalika dated 20.09.1998. Further, another son of Murgaiyan Chettiar, namely, Chakravarthy also executed a registered sale deed dated 02.04.2008.

3.Subsequently, the petitioner's father has executed a settlement deed on 18.06.2021 registered vide Document No.1657 of 2021. On a complaint given by the fourth respondent, the second respondent conducted a detailed enquiry. The second respondent concluded that apart from the shares allotted in favour of the first petitioner, he had executed the sale deed excess of his shares in respect of the property. Therefore, the first respondent had directed the registering authority to take action under Sections 82 and 83 of the Registration Act as against the persons, registered the documents beyond their shares. It was confirmed by the first respondent.

4.On perusal of the order under challenge in this writ petition reveals that the second respondent conducted an enquiry and concluded the same and passed the order. The first respondent is being the appellate authority also conducted



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the detailed enquiry after giving opportunity of hearing to the parties concerned and passed a detailed order. Therefore, this Court cannot find fault with the enquiry conducted by the respondents 1 and 2 herein.

5.In view of the above, this Court finds no infirmity or illegality in the orders passed by the first and second respondent. Hence, this writ petition is devoid of merits and is liable to be dismissed.

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NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR



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G.K.ILANTHIRAIYAN. J,

RJR

To

1.The Deputy Inspector General of Registration,
Registration Department,
Trichy and District.

2.The District Registrar,
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Pudukottai, Pudukottai Post and Taluk,
Pudukottai.

3.The Sub Registrar,
Registration Department,
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