



W.P(MD)No.19660 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 14.06.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.19660 of 2021

and

W.M.P(MD)Nos.16331 and 16332 of 2021

Murugaya

: Petitioner

Vs.

1.The Inspector General of Registration,
No.100, Santhome High Road,
Raja Annamalai Puram, Chennai – 28.

2.The District Registrar,
O/o.The District Registrar,
Administration, Ramanathapuram,
Ramanathapuram District.

3.The Sub Registrar,
O/o.The Sub Registrar Office,
Keezhalakarai, Ramanathapuram District.

4.Panchavarnam

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of certiorarified Mandamus, to call for the records relating to the impugned order passed by the second respondent in his proceedings in Na.Ka.No.2391/Aa1/2021, dated 22.09.2021 and quash the same as illegal and consequently, direct the third respondent to remove



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the Registration/Encumbrance Entries made qua the said sale deed in Document No.771/2016, dated 28.03.2016 from the books/register on the file of the third respondent office within the time that may be fixed by this Court.

For Petitioner : Mr.Karthik Raja,
for M/s.Ajmal Associates.

For Respondents : Mr.D.Farjana Ghousia,
Special Government Pleader, for R1 to R3.

: No Appearance, for R4.

ORDER

The Writ Petition has been filed seeking orders to issue a Writ of certiorarified Mandamus, to call for the records relating to the impugned order passed by the second respondent in his proceedings in Na.Ka.No.2391/Aa1/2021, dated 22.09.2021 and quash the same as illegal and consequently, direct the third respondent to remove the Registration/Encumbrance Entries made qua the said sale deed in Document No.771/2016, dated 28.03.2016 from the books/register on the file of the third respondent office within the time that may be fixed by this Court.

2. When the matter is taken up for hearing today (i.e., 14.06.2024), the learned Special Government Pleader appearing for the official respondents would submit that the impugned order came to be passed only on the basis of



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order passed by the Sub Collector, Ramanathapuram, deleting the names in the patta including the petitioner and on that basis, the second respondent has observed that it is a fraudulent document. He would further submit that the petitioner without challenging that order, cannot challenge the subsequent order passed by the second respondent.

3. At this juncture, the learned counsel for the petitioner would submit that he may be permitted to withdraw this petition with liberty to challenge the order passed by the Sub Collector.

4. Recording the said submission made by the learned counsel for the petitioner, this Writ Petition is dismissed as withdrawn. The petitioner is at liberty to challenge the order passed by the Sub Collector. Consequently, connected Miscellaneous Petitions are closed. No costs.

14.06.2024

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
das



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- 1.The Inspector General of Registration,
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O/o.The District Registrar,
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K.MURALI SHANKAR, J

DAS

Order made in

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and

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Dated : 14.06.2024