



W.P(MD)No.22011 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.22011 of 2021

and

W.M.P(MD)No.18611 of 2021

Senthilkumar

... Petitioner

Vs.

1.The Deputy Inspector General,
Registration Department,
Tirunelveli.

2.The District Registrar,
Cheranmadevi Registration District,
Cheranmadevi, Tirunelveli District.

3.S.Ramasamy

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records of the second respondent in impugned show cause notice, dated 24.11.2021 in Na.ka.No.3536/A2/2021/2, dated11.2021.

For Petitioner : Mr.S.Saravanakumar

For Respondents : Mr.S.Shanmugavel,
Additional Government Pleader, for R1 and R2.

: No Appearance, for R3.



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ORDER

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The Writ Petition has been filed seeking orders to issue a Writ of Certiorari, to call for the records of the second respondent in impugned show cause notice, dated 24.11.2021 in Na.ka.No.3536/A2/2021/2.

2. The learned counsel for the petitioner would submit that the petitioner has filed a suit in O.S.No.48 of 2021, seeking declaration that the settlement deed, dated 27.05.2010 executed by the first defendant as power agent of the third defendant is legally invalid and for permanent injunction and also to declare that the settlement deed, dated 14.10.2020 executed by the first defendant in favour of the second defendant is null and void and for consequential permanent injunction.

3. Since the suit with regard to the validity and legality of the settlement deeds is pending before the competent Civil Court, the second respondent cannot proceed to decide about the legality of document in question. Hence, the impugned notice, dated 24.11.2021 in Na.ka.No.3536/A2/2021/2, is liable to be set aside and is set aside.



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4. The second respondent is directed to proceed further subject to the result of the suit pending between the parties. The Writ petition is disposed of accordingly. Consequently, connected Miscellaneous Petition is closed. No costs.

27.03.2024

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

TO

- 1.The Deputy Inspector General,
Registration Department,
Tirunelveli.
- 2.The District Registrar,
Cheranmadevi Registration District,
Cheranmadevi, Tirunelveli District.



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K.MURALI SHANKAR, J

das

Order made in
W.P(MD)No.22011 of 2021
and
W.M.P(MD)No.18611 of 2021

Dated : 27.03.2024