



W.P.(MD) No.21034 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.21034 of 2016

T.Rajalakshmi

.. Petitioner

Vs.

1.The Inspector General of Registration,
No.28, Santhome,
Pattinampakkam High Road,
Chennai-600 028.

2.The District Registrar,
District Registrar Office,
No.70, Oovaiar Street,
Opp. Jothi Lodge, Aranmanai,
Ramanathapuram-623 501.

3.The Sub-Registrar,
Sub-Registrar Office,
Rameswaram of Ramanathapuram District (Admn.),
Ramanathapuram,
Ramanathapuram District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned order dated 10.12.2015 passed by the



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second respondent and quash the same as null and void and consequently direct the second respondent to conduct a proper enquiry under Circular No.67 issued by the first respondent vide his proceedings in C.No. 52338/C1/2011 dated 03.11.2011 within the time to be stipulated by this Court.

For Petitioner : Mr.M.P.Senthil

For Respondents : Mr.S.P.Maharajan
Special Government Pleader

ORDER

The prayer sought for in this writ petition is to quash the order passed by the second respondent dated 10.12.2015 as null and void and to consequently direct the second respondent to conduct a proper enquiry as per Circular No.67.

2. By the impugned order, the second respondent had rejected the claim of the petitioner by observing that the issues could be only resolved by a civil Court.



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3. The Hon'ble Supreme Court in the case of ***Satya Pal Anand vs. State of Madhya Pradesh*** reported in ***(2016) 10 SCC 767*** has held that the Registering Authority does not have authority to enquire into the title to the property.

4. Learned Special Government Pleader for the respondents would submit that the petitioner had already a civil decree against her, against which an appeal is pending in A.S.No.153 of 2024 before this Court.

5. In view of the same, if any order passed in favour of the petitioner in the appeal suit, she may approach the authority for remedying her relief.

6. With the aforesaid liberty, this Writ Petition is dismissed. There shall be no order as to costs.

22.11.2024

NCC : Yes/No
Index : Yes/No
abr



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To

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K.KUMARESH BABU, J.

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