



W.P.(MD)No.21379 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.09.2024

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.(MD)No.21379 of 2016

and

W.M.P.(MD)Nos.15286, 17047 of 2016 and 9259 of 2017

1.Kasthuri Thilagam

2.Sarathi

... Petitioners

Vs.

1.The District Registrar, (Administration),
Madurai North,
Registration Department,
Madurai.

2.R.Jawahar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the records relating to the impugned order passed by the first respondent made in Na.Ka.No.1791/A1/2016, dated 28.09.2016 and quash the same.



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For Petitioner : Mr.R.Murali
For R-1 : Mr.M.Siddharthan
Special Government Pleader
For R-2 : Mr.M.S.Jeyakanth

ORDER

This Writ Petition is filed challenging the impugned order passed by the first respondent dated 28.09.2016, whereby two sale deeds bearing Document Nos.4247/15 and 4248/15 were cancelled.

2. It is submitted by the learned counsel for the petitioner that the first respondent does not have the authority to cancel the documents under the guise of conducting enquiry on fraudulent registration, placing reliance on the judgment of this Court in the case of ***D.V.Loganathan Vs. the Sub-Registrar, Office of the Sub-Registrar, Pallavaram, Chennai and another*** reported in (2014) 3 CTC 113 and judgment of Division Bench of this Court in W.P.(MD)No. 10291 of 2022 dated 02.08.2024.



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3. It is submitted by the learned counsel for the official respondent that the appropriate remedy is only before the civil Court and the same was acceded to by the learned counsel for the petitioner.

4. In view thereof, in any event, it is open to the parties aggrieved, if any, to work out their remedy before the appropriate forum.

5. Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

02.09.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To:

The District Registrar, (Administration),
Madurai North,
Registration Department,
Madurai.

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MOHAMMED SHAFFIQ, J.

Nsr

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