



W.P.(MD)No.25741 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.10.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.(MD)No.25741 of 2024

and

W.M.P.(MD)No.21811 of 2024

Ramamoorthy

... Petitioner

/Vs./

The Sub Registrar,
Sub Registrar Office,
Kadamalaigundu,
Theni District.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned check slip No. RFL/Kadamalaikundu/20/2024 issued by the respondent dated 13.09.2024 and quash the same and consequently directing the respondent to accept the settlement deed submitted by the petitioner dated 29.08.2024 and register the same in respect of S.No.647 situated at Mayiladumparai Village to an extent of 4 acres 80 cents out of 18 acres 77 cents vide Document No.896/1980 within time stipulated by this Court.



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For Petitioner : Mr.G.Preethivee Raj
For Respondent : Mr.P.Subbaraj
Special Government Pleader

ORDER

This writ petition has been filed challenging the impugned refusal check slip dated 13.09.2024 issued by the respondent.

2. Heard Mr.G.Preethivee Raj, learned counsel appearing for the petitioner, and Mr.P.Subbaraj, learned Special Government Pleader appearing for the respondent.

3. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

4. The learned counsel appearing for the petitioner seeks permission of this Court to withdraw this writ petition. However, he seeks liberty for the petitioner to file a civil suit on the same cause of action.



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5. After giving due consideration to the contents of the affidavit filed in support of this writ petition, this Court is of the considered view that no prejudice will be caused, if the petitioner is allowed to withdraw this writ petition and liberty is granted to the petitioner to file a civil suit in respect of the same cause of action.

6. For the foregoing reasons, this writ petition is disposed by granting liberty to the petitioner to file a civil suit in respect of the same cause of action. However, it is made clear that incase there is a limitation issue, the same shall be considered by the competent civil Court in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

28.10.2024

Index : Yes / No
NCC : Yes / No
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ABDUL QUDDHOSE, J.

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TO:-

The Sub Registrar,
Sub Registrar Office,
Kadamalaigundu,
Theni District.

Order made in
W.P.(MD)No.25741 of 2024

Dated:
28.10.2024