



W.P (MD).No.25619 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.11.2024

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P (MD).No.25619 of 2024

K.Navamani Paulraj

... Petitioner

Vs.

1.The Assistant Inspector General of Registration,
Tirunelveli Region,
Tirunelveli,
Tirunelveli District.

2.The District Registrar,
(Administration and Auditing)
Department of Registration,
District Registrar Office,
Tenkasi District,
Tenkasi.

3.The Sub-Registrar,
Department of Registration,
Surandai,
Tenkasi District.

4.R.Durairaj Pandian
(R4 is impleaded vide Court order
dated 29.10.2024)

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the impugned order as made in Ka.Na.No.248/2024 dated 15.10.2024 as passed by the third



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respondent and subsequently set aside the same as illegal and erroneous and consequently register the said settlement deed as submitted by the petitioner for registration in favour of his son vide P.13/2024, dated 15.10.2024 forthwith.

For Petitioner	: Mr.S.Palanivelayutham
For R1 to R3	: Mr.S.P.Maharajan Special Government Pleader
For R4	: Mr.V.R.Shanmuganathan

ORDER

This writ petition has been filed challenging the order passed by the third respondent, thereby, refused to register the settlement deed executed by the petitioner in favour of his son in respect of the subject property.

2. The fourth respondent disputed the title over the property and also filed a suit and the same is pending as SR stage before the Principal District Munsif, Tenkasi.

3. Aggrieved by the refusal check slip issued by the third respondent, the petitioner filed an appeal before the second respondent on 17.10.2024 and the same is pending.



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4. That apart, already the petitioner sold in respect of the very same subject property comprised in survey numbers 573/1, 573/2 and 573/3A situated at Veerakeralam Puthur Taluk, Surandai-1, Tenkasi District registered vide document No.3589 to an extent of 2 acres 18 cents was under challenge before the District Registrar. However, finally the petitioner succeeded before this Court in W.P(MD)No.10732 of 2022. Aggrieved by the same, the fourth respondent filed writ appeal, it is also under SR stage. In view of the above, this Court is not inclined to take up the writ petition since already the petitioner filed an appeal before second respondent as against the order passed by the third respondent.

5. In view of the above, the second respondent is directed to issue notice to the petitioner as well as the fourth respondent and consider the appeal submitted by the petitioner after giving an opportunity of hearing to both parties and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

Internet : Yes
Index : Yes/No
Speaking/Non Speaking order
am

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To

- 1.The Assistant Inspector General of Registration,
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G.K.ILANTHIRAIYAN, J.

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