



W.P.(MD).No.12752 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.11.2024

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD).No.12752 of 2017

and

W.M.P.(MD)No.9861 of 2017

T.Paulraj

...Petitioner

Vs

1.The Inspector General of Registration,
Registration Department,
Mylapore,
Chennai – 600 004.

2.The District Registrar,
Registration Department,
Palayamkottai,
Tirunelveli District.

3.The Sub-Registrar,
Ettaiyapuram,
Thoothukudi District.

4.The Sub-Registrar,
Chettikulam,
Ariyalur District.

5.Kannan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the order passed by the Sub-Registrar, Chettikulam in Objection Petition No.18/2017 dated



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05.06.2017 and quash the same and consequently direct the Sub-Registrar, Chettikulam not to register any documents in pursuant to the fabricated power deed in Document No.728/2017 registered on 24.04.2017 on the file of the Sub-Registrar, Ettaiyapuram.

For Petitioner : Mr.T.A.Ebenezer

For R-1 to R-4 : Mr.D.Sadiq Raja
Additional Government Pleader

ORDER

Heard Mr.T.A.Ebenezer, learned counsel for the petitioner and Mr.D.Sadiq Raja, learned Additional Government Pleader for the respondents 1 to 4.

2. This Writ Petition has been filed challenging the order passed by the Sub-Registrar, Chettikulam in Objection Petition No.18/2017 dated 05.06.2017 and to consequently direct the Sub-Registrar, Chettikulam not to register any documents in pursuant to the fabricated power deed in Document No.728/2017 registered on 24.04.2017 on the file of the Sub-Registrar, Ettaiyapuram.

3. An objection has been filed by the petitioner contending that a fabricated power of attorney in Document No.728 of 2017 dated



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24.07.2017 was registered and therefore seeks direction not to register any document pursuant to the said document.

4. The issue raised in this Writ Petition is no longer res-integra, in view of the judgment rendered by this Court in the case of ***N.Ramayee vs. The Sub Registrar in W.P.No.674 of 2020 dated 05.11.2020.*** Hence, the prayer sought for in the writ petition cannot be sustained.

5. Accordingly, the Writ Petition stands dismissed with liberty to the petitioner to approach the competent civil Court. If any suit is filed by the petitioner, the same shall be entertained by the civil Court by excluding the period for which this writ petition was pending before this Court for the purpose of calculating the limitation period. No costs. Consequently, connected miscellaneous petition is closed.

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



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To:

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K.KUMARESH BABU, J.

Nsr

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