



W.P(MD)No.28569 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.07.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.28569 of 2022

and

W.M.P.(MD)Nos.6650 & 21092 of 2023

P.Suguna

... Petitioner

Vs.

1.The District Registrar (Admin)
Nagercoil,
Kanyakumari District.

2.The Sub-Registrar,
Idalagudi,
No.48, Kutchery Road,
Idalagudi,
Nagercoil-629 002.

3.M.Shanmugam

4.M.Deepasundaram

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records and quash the order dated .11.2022 bearing No. 4939/B3/2022, passed by the 1st respondent.



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For Petitioner : Mr.M.Mahaboob Athiff
for Mr.V.Arul

For Respondents : Mr.D.Farjana Ghoushia
Special Government Pleader for R1 & R2

: Mr.S.Selva Aditya
for Mr.G.Prabhurajadurai for R3

: No appearance for R4

ORDER

Heard both sides.

2. The petitioner has purchased the petition mentioned property vide sale deed dated 06.04.2022 (Document No.1562 of 2022 on the file of the second respondent). The third respondent has alleged that execution as well as the registration of the document is fraudulent. The complaint made by the third respondent was accepted and allowed by the first respondent vide proceedings dated 08.11.2022. Challenging the same, this writ petition came to be filed.

3. Admittedly, the petitioner was not put on notice before passing the impugned order. On this sole ground, the impugned order is set aside insofar as the petitioner is concerned. This is because, the impugned order covers not only the petitioner's document but also three other documents. Since the other persons are



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not before this Court, I set aside the impugned order only to the extent it affects the petitioner's interest. The matter will be go back to the first respondent to conduct a fresh enquiry as far as the petitioner is concerned. I leave open all the issues including that of jurisdiction. The (*)first respondent shall conclude enquiry on merits and in accordance with law within a period of three months from the date of receipt of a copy of this order.

4. The writ petition is allowed on these terms. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (C.S.I)

(*)corrected as per the order of this court dated 13.11.2024 made in WP(MD) No. 28569 of 2022

Sd/-

Assistant Registrar()

// True Copy //

/11/2024

Sub Assistant Registrar
(CS - I/ II / III /IV)

rmi

(*)to be substitute the order already despatch on 18/09/2024.



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To
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Kanyakumari District.

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Idalagudi,
No.48, Kutchery Road,
Idalagudi,
Nagercoil-629 002.

+1 CC to M/s.G.PRABHU RAJADURAI, Advocate (SR-36438[F] dated 23/07/2024)

+1 CC to M/s.V.ARUL, Advocate (SR-36475[F] dated 23/07/2024)

+1 CC to M/s.SPL.GP (SR-36980[F] dated 24/07/2024)

W.P(MD)No.28569 of 2022
22.07.2024

SL(27.08.2024)/ 4P/ 6C

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KVL(15.11.2024)/ 4P/ 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.