



WP(MD). No.27139 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 05/09/2024

CORAM

The Hon`ble Mr.Justice N.SATHISH KUMAR

WP(MD). No.27139 of 2023
and WMP(MD) Nos.23295 and 23297/2023

Poornaselvi

... Petitioner

Vs

1. The Inspector of General (Registration Department),
Office of the Inspector of General,
No.100, Santhome High Road,
Chennai-600 028.

2. The District Registrar,
Office of the District Registrar,
Tirunelveli.

3. The Sub Registrar,
Gangaikondan Sub Registrar Office,
Tirunelveli District.

4. Kanthammal,
W/o.Late.Sankaran,
No.9/73, 1st Street,
Rajapathi,
Gangaikondan,
Tirunelveli.



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5. Bhagavathi,
W/o.Muppidathi,
No.7/31, Yathavar Street,
Thalaiyuthu,
Manur,
Tirunelveli.

6. Seethalakshmi,
W/o.Kallathiyam,
No.4/16, Middle Street,
Sengulam,
Tirunelveli.

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records pertaining to the impugned orders passed the 2nd respondent in his proceedings in Na.Ka.No.5961/E2/2023 dated 03.10.2023 is illegal and quash the same.

For Petitioner : Mr.S.M.Mohan Gandhi,
For Respondents : Mr.M.Siddharthan for R1 to R3
Additional Government Pleader
Mr.N.Tamilmani for R4 to R6

ORDER

Challenge has been made to the order of the 2nd respondent dated 03.10.2023.



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2. It is the case of the petitioner that the subject properties belong to her father, who has two wives and three daughters and one son through the first wife and two daughters through the 2nd wife. The petitioner herein is the daughter born to the 2nd wife. While so, her father died leaving behind the legal heirs and properties. After his demise, without impleading the petitioner and other legal heirs, the 4th respondent has presented the documents, which was accepted by the authorities and registered in favour of the 4th respondent and her children, namely, respondents 5 and 6. Hence, a complaint has been given to cancel the document on the ground that the legal heirs have not been shown in the document and the property has been dealt with without including them. However, the said complaint has been rejected by the authority by relegating the parties to approach the civil court.

3. I have considered the rival submissions and perused the materials available on record.



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4. From the impugned order, it is seen that the authorities have rightly relegated the parties to approach the civil Court to agitate their rights. Since the authorities have no power to dwell into the issues as per ***Satya Pal Anand v. State of M.P.[2016 10 SCC 767]*** and this Court in ***G. Rajasulochana v Inspector General made in W.P 29706 of 2024 dated 16.04.2024***, I do not find any infirmity or illegality in the order passed by the 2nd respondent. Accordingly, the writ petition is dismissed. No costs. The parties are at liberty to agitate their rights in the pending suit. Consequently connected Miscellaneous Petitions are closed.

05.09.2024

RR

TO

1. The Inspector of General (Registration Department),
Office of the Inspector of General,
No.100, Santhome High Road,
Chennai-600 028.

2. The District Registrar,
Office of the District Registrar,
Tirunelveli.

3. The Sub Registrar,
Gangaikondan Sub Registrar Office,
Tirunelveli District.

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N.SATHISH KUMAR,J

RR

**ORDER
IN
WP(MD) No.27139 of 2023**

Date : 05/09/2024