



WEB COPY

WP No. 7915 of 2019



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-09-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 7915 of 2019

and

WMP Nos.8523 & 8525 of 2019

1. Velayudham

S/o.Subramanian,

142, Subramaniam Koil Street,

Karamanikuppam Village,

Cuddalore Taluk, Cuddalore District,

Cuddalore

2. S.Srinivasan

S/o.Lakshmana Padayachi,

No.45B, Thiruvanthipuram Road,

Pillai Village, Cuddalore Taluk,

Cuddalore District.

3. V.Sivakumar

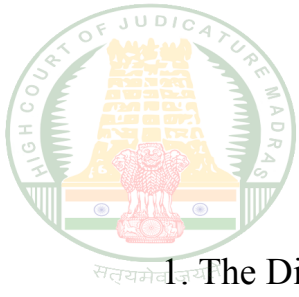
S/o.Velayutham,

No.142, Subramaniam Kovil Street,

Karamanikuppam Village,

Cuddalore Taluk, Cuddalore District.

Petitioner(s)



Vs.

1. The District Registrar
Cuddalore- 607 002.

2. The Sub Registrar
Nellikuppam,
Panruti Taluk, Cuddalore District.

3. R. Chenguttuvan
S/o. R. Raju,
No. 25, Ramu Street,
Nellikuppam, Cuddalore Taluk,
Cuddalore District.

Respondent(s)

PRAYER: This petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari, to call for the records and quash the proceedings of the 1st respondent in his Na.Ka. No.4788/ Aa1/ 2017 dated 27.11.2017.

For Petitioner(s): Mr.D.Baskar.

For Respondent(s): Mr.Abishek Moorthy
Government Advocate for R1
and R2
Mr.P.Sreenivasulu for R3



ORDER

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This writ petition has been filed for issuance of a Writ of Certiorari, to call for the records and quash the proceedings of the 1st respondent in his Na.Ka. No.4788/ Aa1/ 2017 dated 27.11.2017.

2. The learned counsel for the petitioners would submit that the private respondent has made a complaint before the District Registrar for cancellation of the document alleging that the document relating to the subject property is fraudulent one. In support of his submission, learned counsel for the petitioners relied upon the decision of this Court in the case of ***M.Kathirvel Vs. The Inspector General of Registration Department***, reported in 2024 SCC OnLine Mad 6154. Accordingly, he prays for appropriate orders from this Court.

3. The learned counsel appearing for the private respondent/3rd respondent would submit that a Civil Suit is pending in O.S.No.263 of 2017 on the file of Principal District Munsif Court, Cuddalore. Hence, he submitted that both the



petitioners as well as the private respondent may be permitted to canvass all these points before the Competent Civil Court.

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4. Heard the learned counsel for the petitioners as well as the learned Government Advocate for respondents 1 and 2 and learned counsel for the 3rd respondent.

5. In view of the submission made by the learned counsel on either side and upon perusal of the decision of this Court in *M.Kathirvel (supra)*, this Court is of the view that once the Civil Court is seized of the matter, the first respondent has no authority to issue the summons to the petitioners, asking them to appear before the first respondent based on the petition filed by the third third respondent. Therefore, the impugned summons is liable to be set aside and, accordingly, the same is set aside.



6. In the result, this Writ Petition is dismissed. Granting liberty to the petitioners as well as the private respondent to work out their remedy in the manner known to law. No costs. Consequently, connected Miscellaneous Petitions are closed.

12-09-2025

Jd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The District Registrar
Cuddalore- 607 002.

2. The Sub Registrar
Nellikuppam,
Panruti Taluk, Cuddalore District.



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M.DHANDAPANI J.
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