



W.P.(MD)No.1889 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.01.2025**

CORAM:

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

W.P.(MD)No.1889 of 2025
and W.M.P.(MD)No.1346 of 2025

Mohamed Samsudeen

... Petitioner

/Vs./

1. The District Registrar,
District Registrar Office,
Virudhunagar 626 001,
Virudhunagar District.

2. The Sub Registrar ,
Sub Registrar Office,
Aruppukkottai - 626 101,
Virudhunagar District

3. R.Goghul

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records in impugned order in Na.Ka.No. 12025/2025 dated 07.01.2025 and quash the same and directing the 2nd respondent not to register the immovable



W.P.(MD)No.1889 of 2025

properties with Doc.No.247/2018, Doc.No.5698/2022 and Doc.No. 6677/2022 and any immovable property in the name of 3rd respondent shall not be transferred to any person within the jurisdiction of 2nd respondent until the criminal case against the 3rd Respondent disposed of and consider the petitioner's representations dated 27.12.2024.

For Petitioner : Mr.R.Ravikumar

For Respondents : Mr.D.Sadiq Raja,

Addl. Govt. Pleader (R1 & R2)

ORDER

This writ petition has been filed challenging the order passed by the second respondent thereby directed the petitioner to file an objection in the form of protest petition on payment of requisite fee to object any registration of documents in respect of the subject property registered vide Doc.No.247/2018, Doc.No.5698/2022 and Doc.No. 6677/2022.

2. Considering the nature of the order going to be passed in this writ petition, notice to the third respondent is dispensed with. Heard the learned counsel on either side and perused the materials placed before this Court.



W.P.(MD)No.1889 of 2025

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3. The petitioner made an allegation as against the third respondent in respect of the sale deeds executed in favour of the third respondent vide Doc.No.247/2018, Doc.No.5698/2022 and Doc.No. 6677/2022, pursuant to which, cases have been registered as against the third respondent in Crime Nos.167/24 and 168/24 on the file of the Inspector of Police, Aruppukkottai Town Police Station, Virudhunagar District, for the offence punishable under Sections 406, 420, 294(b), 506(1) and 418 of IPC. Therefore, the petitioner submitted a representation not to register any documents in pursuant to the earlier documents registered in favour of the third respondent vide Doc.No. 247/2018, Doc.No.5698/2022 and Doc.No. 6677/2022.

4. On receipt of the representation, the second respondent informed the petitioner vide order dated 07.01.2025 to file objections in the form of protest petition after payment of requisite fee to the tune of Rs.100/- so that, it will be considered at the time of presentation of any document for registration in respect of the subject property registered vide Doc.No.247/2018, Doc.No.5698/2022 and Doc.No. 6677/2022.. Therefore, this Court finds no infirmity or illegality in the order passed



W.P.(MD)No.1889 of 2025

by the second respondent. This writ petition is devoid of merits and is liable to be dismissed. Accordingly, this writ petition is dismissed.

5. However, the petitioner is at liberty to file protest petition on payment of requisite fee. On receipt of the same, the second respondent is directed to conduct an enquiry on the protest petition submitted by the petitioner, if any document is presented by the third respondent for registration through the earlier sale deeds registered vide Doc.No. 247/2018, Doc.No.5698/2022 and Doc.No. 6677/2022 after issuance of notice to the parties concerned and pass appropriate orders on merits and in accordance with law. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

24.01.2025

Index : Yes / No
NCC : Yes / No
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W.P.(MD)No.1889 of 2025

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W.P.(MD)No.1889 of 2025

G.K.ILANTHIRAIYAN, J.

Sm

Order made in
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Dated:
24.01.2025