



W.P(MD)No.2733 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.2733 of 2023

and

W.M.P(MD)Nos.2487 & 2490 of 2023

Shanmuga Priya

... Petitioner

Vs

1. The Inspector General of Registration,
Department of Registration,
100 Santhome High Rd,
Mullima Nagar,
Mandavelipakkam,
Raja Annamalai Puram,
Chennai - 600028.

2. The District Registrar,
O/o.The District Registrar,
Karaikudi.

3. V.Thiyagarajan

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, calling for the records relating to the impugned order issued by the second respondent cancelling the registration of the petitioner's two plots, vide proceedings, Na.Ka.No.1348/Aa1/2020 dated 14.10.2020, without even providing an opportunity of personal herein / notice to



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the petitioner is illegal and against the principles of natural justice (Due process of law) under Article 21 of the Constitution and quash the same.

For Petitioner : M/s.Ramesh Mahadev
For R-1 & R-2 : Mr.D.Sasi Kumar
Additional Government Pleader
For R-3 : Mr.V.R. Shanmuganathan

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorari, to quash the impugned order dated 14.10.2020, passed by the second respondent to cancel the registration of two plots, without providing an opportunity of personal herein / notice to the petitioner is illegal and against the principles of natural justice (Due process of law) under Article 21 of the Constitution and quash the same.

2. The third respondent has filed a suit in O.S.No.61 of 2012 on the file of Sub Court, Sivagangai, seeking declaration of title, recovery of possession, permanent injunction, and to declare various documents executed by the petitioner's vendor as null and void. The said suit was contested by the



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petitioner's vendor and the third respondent. By judgment and decree dated 22.11.2016, the Civil Court declared the documents executed in favour of the petitioners as null and void. Thereafter, the petitioner submitted a representation before the authority. The authority after considering the suit decree has stated in the impugned order that the petitioner's documents were declared as null and void by the competent Civil Court. Accordingly, the petitioner was directed to approach the appropriate Civil Court for redressal of his grievance and the authority declined to entertain the representation . Aggrieved over the same, the present writ petition has been filed.

3. The contention of the petitioner is that the impugned order has been passed without affording an opportunity of hearing. Even if the contention of the petitioner is accepted, the respondent can grant opportunity to the petitioner, but it would be an empty formality since the competent Civil Court has already declared the petitioner's sale deed as a null and void. Therefore, remitting back to the authority to consider the same will not arise. The appropriate remedy to the petitioner is to approach the competent Civil Court, to set aside the decree, if so advised or to prefer an appeal in accordance with law.



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4. Accordingly, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

18.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes

jbr

To:

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Department of Registration,
100 Santhome High Rd,
Mullima Nagar,
Mandavelipakkam,
Raja Annamalai Puram,
Chennai - 600028.
2. The District Registrar,
O/o.The District Registrar,
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S.SRIMATHY, J.

jbr

ORDER MADE IN
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