

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 16.04.2015

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THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.10904 of 2015

M.Mary Muthammal .. Petitioner

Versus

1. Inspector General of Registration,
Office of the Inspector General of Registration,
Chennai - 28.

2. District Registrar,
No.9, Jennis Road,
Saidapet, Chennai.

3. The Sub-Registrar,
Velachery, Chennai.

4. M.K.Kubendran

5. R.Mary Muthammal,

6. K.Thachinamoorthy

7. A.M.Soundarapandian

8. Eswari

9. Santhi

10. R.Raman .. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the first and second respondents to take the complaint of the petitioner dated 10.02.2015 on file and also enquire the same within the time frame, by allowing this writ petition.

For Petitioner : Mr.P.Raja

For Respondent : Mr.M.Dig Vijaya Pandian
Additional Government Pleader.

O R D E R

By consent, the main writ petition is taken up for final disposal.

2. The petitioner claims that she has purchased a vacant site admeasuring to an extent of 2400 sq.ft., in Plot No.132, comprised in S.No.56/8, 2nd main road, Sivaprakash Nagar, Puzhuthiwakkam, Chennai, from one M.N.Krishnan by means of a registered Sale Deed bearing Document No.2812 of 1991, registered by the Sub Registrar, Alandur and according to her, the sale deed was misplaced and she was not able to trace the same inspite of her best efforts. The petitioner subsequently, got an encumbrance certificate and to her shock and surprise, she found that entries have been made as if she had given power of attorney to sell the property to one M.K.Kubendran, vide Document No.7734 of 2014 and immediately, she lodged a complaint dated 15.12.2014 to the 3rd respondent praying for appropriate direction and she received a communication dated 22.01.2015 from the 3rd respondent directing her to come to Chennai to meet him regarding her complaint. However, nothing had happened thereafter and she preferred a representation dated 10.02.2015 to the respondents 1 and 2, praying to take action on her complaint dated 15.12.2014. Alleging that the private respondents who had fabricated the documents are taking urgent efforts to alienate the property, came forward to file this writ petition.

3. Heard Mr.P.Raja, learned counsel for the petitioner, who has drawn the attention of this Court to Circular No.67 dated 03.11.2011 (C.No.52338/C1/2011) issued by the office of the 1st respondent, which deals with the procedure relating to complaints alleging fraudulent registrations through impersonations and production of false documents and evidence and in the light of the said circular, obligation is cast upon the 2nd respondent to consider and dispose of the representation/complaint dated 10.02.2015 and hence prays for appropriate orders.

4. This Court heard the submissions of Mr.Dig Vijaya Pandian, learned Additional Government Pleader, who accepts notice for the respondents 1 to 3.

5. This Court, taking into consideration the limited scope of the prayer sought for by the petitioner and without going into the merits of the representation/complaint, directs the 2nd respondent to consider the representation/complaint dated 10.02.2015, submitted by the petitioner, on merits and in

accordance with law, particularly taking into account the Circular No.67 dated 03.11.2011 (C.No.52338/C1/2011) and after putting the respondents 4 to 10 on notice and dispose of the representation/complaint, as expeditiously as possible and not later than eight weeks from the date of receipt of a copy of this order and inform the decision taken to the petitioner as well as to the private respondents.

6. The writ petition is disposed of, accordingly. No costs.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

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To

1. Inspector General of Registration,
Office of the Inspector General of Registration,
Chennai - 28.

2. District Registrar,
No.9, Jennis Road,
Saidapet, Chennai.

3. The Sub-Registrar,
Velachery, Chennai.

1 cc to Mr.P. Raja, Advocate, SR. 21019
1 cc to Government Pleader, Sr. 21136

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