

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11-06-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.16527 of 2015

Dr.Usha Vishwanath

.. Petitioner

vs

- 1.The District Registrar
District Registrar's Office
No.9, Genis Road
Saidapet, Chennai 600 015
- 2.Inspector General of Registration
O/o. Inspector General of Registration
Chennai 600 028
- 3.Pee and Dee Lands Holdings Private
Limited
Represented by its Chairman cum
Managing Director
N.Palaniswamy
82, Cathedral Road, Gopalapuram
Madras 600 086

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the first respondent to complete the enquiry and conclude the proceedings in File No.7862/B1/2012 dated 21.3.2013.

For Petitioner : Mr.S.R.Rajagopal
For Respondents : Mr.M.Digvijaya Pandian
Additional Government Pleader
for RRI and 2

ORDER

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

2.The petitioner claims that she is the owner of various items of properties in Lattice Bridge Road, Thiruvannamiyur, as well as in 5th East Street, Kamaraj Nagar, Thiruvannamiyur. According to the petitioner, she and her sister came to know that their properties are being meddled with by some of the brokers in the said area and later on, came to know that the third respondent has created a fraudulent sale deed dated 7.10.2011, which was registered as Document No.10756/2011 on 12.12.2011, on the file of the District Registrar, Chennai, and managed to obtain an order for transfer of patta in it's favour, without notice. The petitioner would further state that she has also initiated appropriate proceedings before the jurisdictional District Revenue Officer, who has passed an order restoring the patta

in the name of the petitioner and her sister, and it was put to challenge in W.P.No.2680/2013 and it is pending, and the petitioner also took up the matter with the Inspector General of Registration and Collector of Madras and the papers were forwarded to the first respondent with a direction to conduct enquiry as to the cancellation of documents bearing Nos.6789, 6475, 6356 of 2007, 4568 of 2006 and 10756 of 2011, and the first respondent, without due application of mind, facts and law, has erroneously dismissed the said complaint vide order dated 21.3.2013, and aggrieved by the same, an appeal dated 10.4.2013, has been preferred by her to the second respondent. The second respondent, in turn, has sent a communication dated 16.6.2014, to the petitioner stating that it has been forwarded to the first respondent for necessary action vide File No.19406/U2/2013 dated 3.5.2013. The petitioner through her lawyer sent a notice dated 16.8.2014, to the first respondent praying for expeditious action and though it was acknowledged on 18.8.2014, no action has been taken so far and hence, she came forward to file this writ petition.

3.Heard the submissions of Mr.S.R.Rajagopal, learned Counsel appearing for the petitioner, and Mr.M.Digvijaya Pandian, learned Additional Government Pleader, who accepted notice for the respondents 1 and 2.

4.This Court, taking into consideration, the limited scope of prayer sought for by the petitioner, and without going into the merits of the claim projected by her, directs the first respondent to complete the enquiry and conclude the proceedings in respect of the petitioner's petition dated 10.4.2013, which was forwarded by the second respondent vide File No.19406/U2/2013 dated 3.5.2013, in accordance with law, after putting on notice, the third respondent, and pass orders within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the third respondent. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

nsv

To:

- 1.The District Registrar, District Registrar's Office
No.9, Genis Road, Saidapet, Chennai 600 015
- 2.Inspector General of Registration
O/o. Inspector General of Registration
Chennai 600 028.

+1cc to M/s. S.R.Rajagopal, Advocate, S.R.No.28547
+1cc to the Government Pleader, S.R.No.28602

SAI (CO)

EU(23/06/2015)

<https://hcservices.ecourts.gov.in/hcservices/>

W.P.No.16527 of 2015