

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.08.2015

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH

W.P.No.24199 of 2015
& M.P.No.1 of 2015

K.Dhakshinamurthy

.. Petitioner

Vs.

1.The Inspector General of Registration,
Santhome High Road,
Chennai-600 028.

2.The District Registrar (Admin.) General,
South Chennai, No.9, Genis Road,
Saidapet, Chennai-600 015.

3.Marie Muthammal

4.M.Rajavelu

..Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of certiorari to call for the records in Notice No.1747/B3/2015 date 13.07.2015 on the file of the second respondent and quash the same.

For Petitioner

.. Mr.M.V.Venkataseshan

For Respondents

.. Mrs.P.Rajalakshmi,

Government Advocate for R1 & R2

सत्यमेव जयते
ORDER

It is seen that a document has been registered under Serial No. 7734/14 and 8447/14 based upon a power deed. It also appears that a complaint has been given by a third party alleging that a fraud has been committed by the third respondent. The petitioner has purchased the property in dispute through power agent. In pursuant to the complaint said to have been given by the third respondent dated 13.02.2015, the second respondent called the petitioner for enquiry by notice dated 13.07.2015. Challenging the same, the present writ petition has been filed.

2. What has been challenged is only an enquiry notice. Neither the petitioner nor this Court knows about the content of the complaint made. As per the procedure, if it is a case of fraud, in certain circumstance, the second respondent can pass appropriate orders. The question as to whether such a situation is available and if so, the document is liable to be cancelled or not will have to be decided by the second respondent based upon the fact situation. The petitioner cannot be said to be aggrieved by the mere notice calling for enquiry. Thus, the writ petition stands disposed of giving liberty to the petitioner to give a detailed reply to the second respondent by appearing for the enquiry. The second respondent, as and when conducts such an enquiry and on subsequent dates, sufficient opportunity be given to the petitioner including furnishing of a copy of the complaint before proceeding to decide finally. No costs.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

raa
To

1.The Inspector General of Registration,
Santhome High Road,
Chennai-600 028.

2.The District Registrar (Admin.) General,
South Chennai, No.9, Genis Road,
Saidapet, Chennai-600 015.

1 cc to Mr. .M.V.Venkateseshan, Advocate Sr.No.42607

1 cc to Government Pleader.Sr.No.42928

सत्यमेव जयते

W.P.No.24199 of 2015

ggk (Co)
pmk.11.9.2015

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