

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.8489 of 2012

And

M.P.No.1 of 2013

N.Valarmathi

... Petitioner

Vs.

1.The Inspector General of Registration
Head of Department of State of Registration,
Santhome Main Road,
Santhome, Chennai.

2.The District Registrar,
District Registration Office of Coimbatore,
Coimbatore.

3.The Sub Registrar,
Madukarai Sub Registration Office,
Madukarai,
Coimbatore Taluk.

... Respondents

Prayer:

Petition filed under section 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider my representation dated 20.10.2011 and further direct the 1st respondent to conduct the proper enquiry with regard to the genuineness of the registered power deeds mentioned in the above said communication dated 20.10.2011 given by the petitioner to the respondents.

For Petitioner : Mr.A.Gouthaman
For Respondent : Mr.V.Jayaprakash Narayanan
Special Government Pleader

O R D E R

Heard Mr.A.Gouthaman, learned counsel appearing for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader appearing for the respondent.

2. Petitioner seeks for issuance of Writ of Mandamus directing the respondents to consider her representation dated 20.10.2011 and further direct the 1st respondent to conduct proper enquiry with regard to the genuineness of the registered power deeds mentioned in the above said communication dated 20.10.2011 given by the petitioner to the respondents.

3. According to the petitioner, the Sub-Registrar, Madukarai has entertained for registration documents bearing nos. 295/2006, 895/2006 and 896/2006 which according to the petitioner are power of attorney deeds and the Sub-Registrar could not have accepted for registration of these documents without production of the original documents.

4. It is seen that the representation given by the petitioner is before the third respondent and the petitioner seeks for a direction for initiation of action to be taken under the Circular No. 67 issued by the first respondent. It is to be noted that Circular No. 67 was issued granting power to the District Registrar of the concerned area to enquire into fraudulent transaction, cases of impersonation etc. However, in the instant case, the petitioner was not given representation to the competent authority. That apart, the petitioner also was not impleaded the parties to those documents which she not seeks for setting aside.

5. Hence, the relief sought for in this writ petition cannot be granted and this writ petition is disposed of with liberty to the petitioner to approach the second respondent by way of fresh representation after impleading all the persons who are parties to those documents and if such representation is given to the second respondent, the second respondent shall consider the said representation by exercising powers under Circular No. 67 and pass orders on merits and in accordance with law, after hearing the petitioner, the parties to those documents as well as the other persons who are likely to be aggrieved, as expeditiously as possible.

T.S.SIVAGNANAM, J.
pri

6. The writ petition is disposed of with the above observations. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

pri

To

1.The Inspector General of Registration
Head of Department of State of Registration,
Santhome Main Road,
Santhome, Chennai.

2.The District Registrar,
District Registration Office of Coimbatore,
Coimbatore.

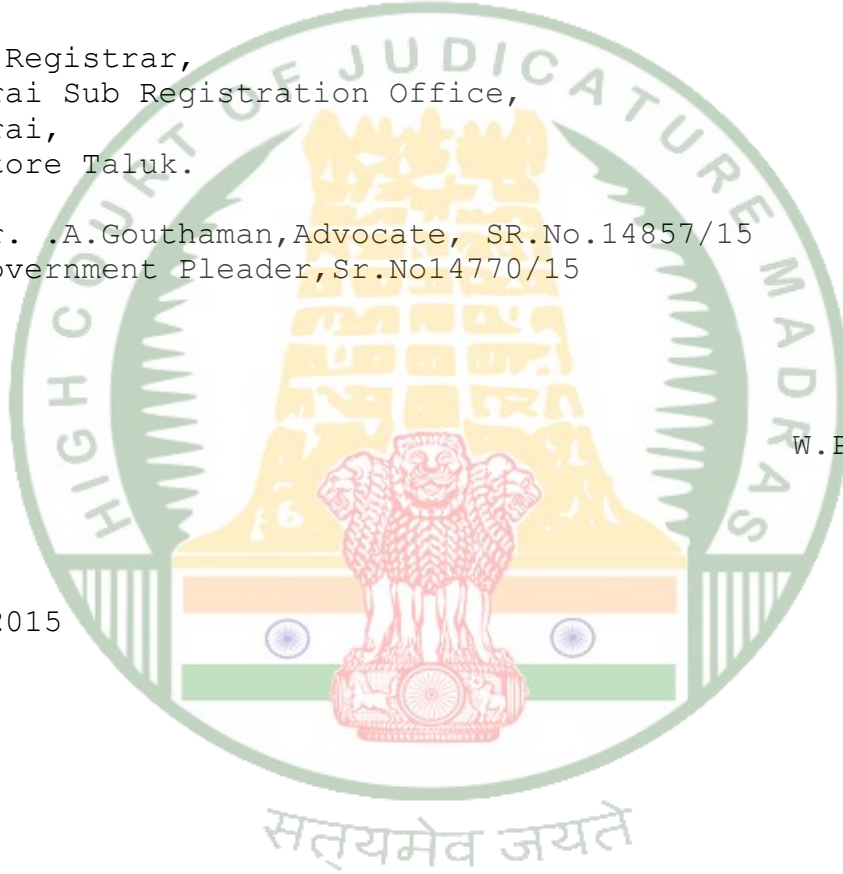
3.The Sub Registrar,
Madukarai Sub Registration Office,
Madukarai,
Coimbatore Taluk.

1 cc to Mr. .A.Gouthaman,Advocate, SR.No.14857/15

1 cc to Government Pleader,Sr.No14770/15

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pmk.27.3.2015

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