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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **15.09.2015**

CORAM

THE HONOURABLE **MR. JUSTICE R. SUBBIAH**

W.P(MD) .No.16759 of 2015

J.Syed Meera

...Petitioner

Vs.

1.The Inspector General of Registration,
Office of the Inspector General of Registration,
No.100, Santhome High Road,
Chennai.

2.The District Registrar,
(Appellate Authority),
District Registration Office,
Palace Road, Madurai.

3.The Sub-Registrar,
Thirupparankundram Sub-Registrar Office,
Madurai - 625 005.

...Respondents

This Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to consider the petitioner's representation, dated 17.08.2015 within the time stipulated by this Court.

For petitioner : Mr.N.Rahamadullah

For Respondents : Mr.K.Mahesh Raja,

Government Advocate takes notice

ORDER

The Writ Petition has been filed praying for a Writ of Mandamus directing the respondents to consider the petitioner's representation, dated 17.08.2015 within a stipulated time.

2. Mr.K.Mahesh Raja, learned Government Advocate takes notice for the respondents.

3. By consent, the Writ Petition itself is taken up for final disposal.



4. The case of the petitioner is that the petitioner had purchased the property in S.No.344/12 measuring to an extent of 44 cents in Nilaiyur I Bit in Thirupparankundram Taluk, Madurai District from one Ponrose. Similarly she had purchased another property in S.No.344/16 measuring to an extent of 17 cents from one Manimegalai. The petitioner is in possession and enjoyment of the above said properties. While the matter stood thus, without having any right or title, on 20.02.2013, one Velraj @ Velrajan executed a fraudulent sale deeds on the basis of forged patta in favour of one Kanchithalaivan, who in turn executed two fraudulent sale deeds in respect of the property in S.No.344/12 on 15.03.2013 and 26.09.2013 to one JAS Property Developers through its Managing Partner Jegadeesan. Hence, on 17.08.2015, the petitioner sent a representation to the respondents to cancel the said fraudulent sale deeds registered in the office of the third respondent. But, till date, the respondents did not take any action for cancelling the above said documents. Hence, the petitioner has come forward with the present Writ Petition for the above stated relief.

5. Considering the submissions made by the learned counsel for the petitioner, without going into the merits of the averments made in the Writ Petition, this Court directs the second respondent to consider the representation of the petitioner, dated 17.08.2015 and pass appropriate orders, on merits and in accordance with law, by affording an opportunity of hearing to all the necessary parties, within a period of twelve weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of claim made by the petitioner and it is for the second respondent to consider the same purely on merits.

With the above direction, the Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

1.The Inspector General of Registration,
Office of the Inspector General of Registration,
No.100, Santhome High Road, Chennai.

2.The District Registrar,
(Appellate Authority),
District Registration Office,
Palace Road, Madurai.



3.The Sub-Registrar,
Thirupparankundram Sub-Registrar Office,
Madurai - 625 005.

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+1cc to Mr.N.Rahmadullah, Advocate Sr.No.54356
+1cc to Spl.GOvernemnt Pleader Sr.No. 54771
pm
AA/JGB/05.10.2015/3p-6c

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