

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.07.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.23406 of 2016

S.Kasirajan
Managing Trustee,
Shri Annapoorani Annadhana
Arakkatalai Trust,
Ashok Nagar, Madras -83. ... Petitioner

Vs.

- 1.The District Registrar (Admin.)
Department of Registration,
Tiruvannamalai.
- 2.The Joint Sub-Registrar No.2,
Tiruvannamalai. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent to consider and pass orders on the petitioner's representation dated 09.08.2012 by issuing notices to the executants of the Document Nos.6678 of 2006 and 6679 of 2006 dated 25.08.2006 and witnesses to appear for enquiry along with the complainant and further direct the respondents herein to cancel the registration of Document Nos.6678 of 2006 and 6679 of 2006 dated 25.08.2006 registered in the Office of the Joint Sub-Registrar No.2, Tiruvannamalai as per the guidelines provided in Circular No.67 dated 03.11.2011 (C.No.52338/C1/2011) issued by the Inspector General of Registration, Chennai-600 028 at the earliest and in accordance with law.

For Petitioner : Mr.S.B.Viswanathan

For Respondents: Mr.R.Govindasamy
Special Government Pleader

O R D E R

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

2. The petitioner is a registered charitable Trust and claims to have right, title and possession in respect of various properties situated in Aadiannamalai Village, Tiruvannamalai Taluk and District and would further state that

by committing impersonation, the properties have been alienated in favour of third parties by fabrication and also by practicing fraud. The petitioner, in this regard, has submitted a representation dated 09.08.2012 to the respondents praying for appropriate action and also for cancellation of the sale deeds. However, the second respondent, vide communication dated 03.09.2012 has directed the petitioner to work out his remedy before the competent civil forum. The District Registrar/first respondent has also sent a notice dated 03.10.2012 calling upon the Managing Trustee of the petitioner Trust to appear for enquiry on 15.10.2012 and the petitioner also appeared and submitted all the necessary documents. The grievance expressed by the petitioner is that thereafter nothing has been done and therefore, constrained to approach this Court with the present writ petition.

3. Heard the submissions of Mr.R.Govindasamy, learned Special Government Pleader who accepts notice for the respondents.

4. Though the petitioner has prayed for larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the first respondent to act on his own communication/proceedings in No.2686/A1/2012 dated 03.10.2012 after putting on notice the petitioner and the persons concerned and proceed further and conclude the enquiry and pass final orders on merits and in accordance with law within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner as well as the persons concerned.

5. This Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

jvm

To

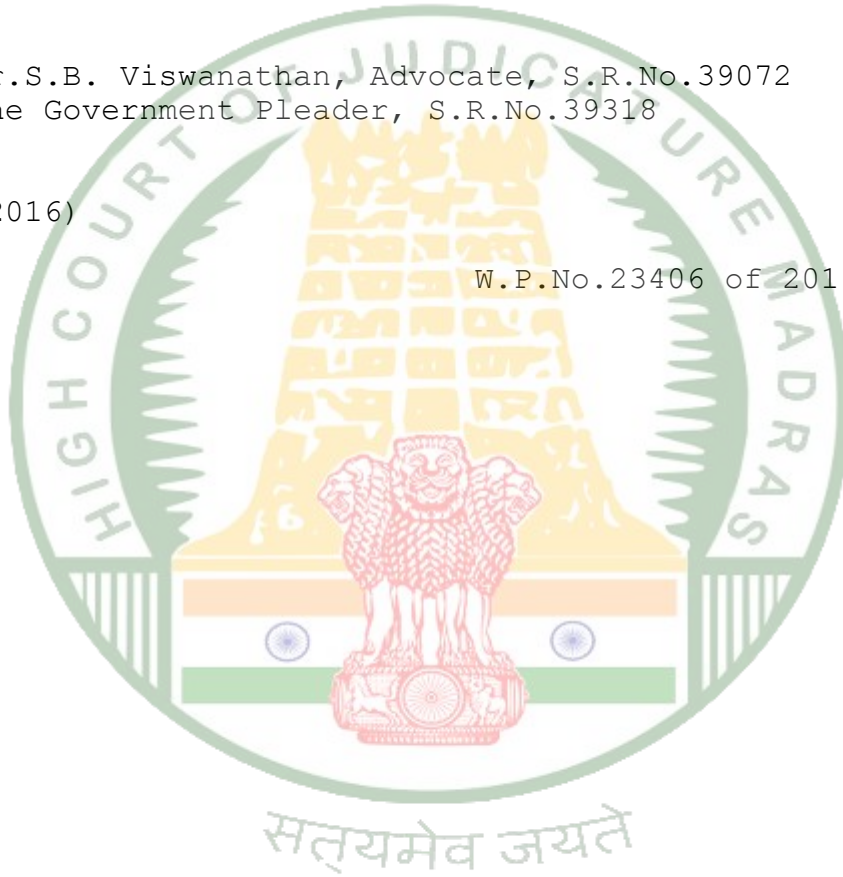
1.The District Registrar (Admin.)
Department of Registration,
Tiruvannamalai.

2.The Joint Sub-Registrar No.2,
Tiruvannamalai.

+1cc to Mr.S.B. Viswanathan, Advocate, S.R.No.39072
+1cc to the Government Pleader, S.R.No.39318

NRKJ(CO)
EU(28/07/2016)

W.P.No.23406 of 2016



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