

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.07.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.26588 of 2016

H.Immanuel

... Petitioner

Vs.

1.The Inspector General of Registration,
O/o.The Inspector General of Registration,
100, Santhome High Road,
Chennai - 28.

2.The District Registrar (Admn.)
Chennai-South,
No.9, Near Vegetable Market,
Jeenis Road, Saidapet,
Chennai - 600 015.

3.M.Gnanasekaran

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the 1st respondent to dispose of the Appeal filed by the petitioner on 21.03.2016 seeking to cancel the order dated 07.03.2016 passed by the 2nd respondent vide 1161/A3/2015 within a time frame.

For Petitioner : Mr.R.Sreedhar

For Respondents: Mr.R.Govindasamy,
Special Government Pleader (R1 & R2)

O R D E R

By consent, this Writ Petition is taken up for final disposal.

2. The petitioner claims to be the owner of the land admeasuring to an extent of 10.5 cents in Survey No.1483/1A1C at Thaiyur Village, through a registered sale deeds, bearing document Nos.1697/1986 and 4070/2014, dated 07.08.1986 and 08.04.2010, respectively, registered on the file of Sub Registrar, Thiruporur and the third respondent made frequent attempts to trespass into the said land for the purpose of interfering his possession and he has also created a forged General Power of Attorney and created bogus documents and also

filed O.S.No.34 of 2015 on the file of the Court of District Munsif, Chengalpet for permanent injunction and the suit is being heartily contested. The petitioner has also lodged a complaint before the Kelambakkam Police Station alleging fabrication and impersonation against the said person, based on which, a case in Crime No.578 of 2015 has been registered for the commission of offences under Sections 420, 447 and 427 IPC. The petitioner had approached the second respondent for cancellation of deed of General Power of Attorney dated 11.03.2009, executed in favour of the third respondent and it was rejected vide order dated 07.03.2016 and the petitioner aggrieved by the same, filed an appeal before the first respondent on 21.03.2016 and though it was received and acknowledged, no orders have been passed and hence, came forward to file this writ petition.

3. Heard the submissions of Mr.R.Sreedhar, learned counsel appearing for the petitioner and Mr.R.Govindasamy, learned Special Government Pleader, who accepts notice on behalf of the respondents 1 and 2.

4. This Court, taking into consideration the limited scope of prayer and without going into merits of the same, directs the first respondent to entertain the appeal dated 21.03.2016 filed by the petitioner, if the papers are otherwise in order and after putting on notice the third respondent, shall pass orders in accordance with law within a period of twelve 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.

5. This Writ Petition is disposed of accordingly. No costs.

Sd/-

सत्यमेव जयते
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vsm

To

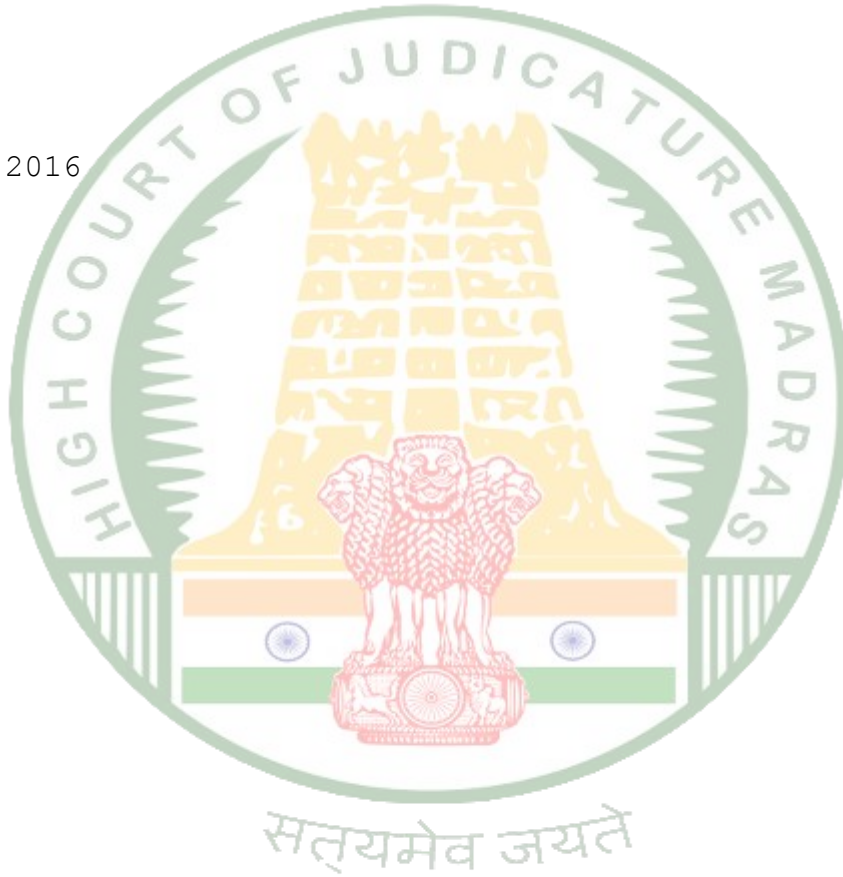
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1 cc to Mr.R.Sreedhar, Advocate, sr.42979
1 cc to Government Pleader, sr.43321

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sr co
kra 23.08.2016



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