

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.08.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.27193/2016 & WMP.No.23344/2016

Padmavathy

.. Petitioner

Versus

1.The Inspector General of Registration
O/o.The Inspector General of Registration
No.100, Santhome High Road,
Chennai 600 028.

2.The District Registrar
O/o.The District Registrar,
North Chennai, Chennai.

3.The Sub Registrar
O/o.The Sub Registrar
Ambattur, Chennai.

4.Mrs.Alimas Begum ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the 2nd respondent to proceed with enquiry in respect of the petitioner's representation dated 04.05.2016 and pass orders in the light of the Judgment of this Court reported in 2004 [4] MLJ page 1257.

For Petitioner : Mr.M.Venkadesh

For R1 to R3 : Mr.R.A.S.Senthilvel, AGP

ORDER

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

2 The petitioner claims that she and her husband jointly own a vacant house site admeasuring to an extent of 1470 sq.ft. comprised in S.No.438/1, No.90, Ayyabakkam Village, Plot No.64, Aparna Nagar, Chennai 600077, through a registered Sale Deed bearing Document No.7044/2012 dated 22.06.2012, registered on the file of the 3rd respondent and decided to put up the superstructure and approached the 4th respondent for financial assistance and believing her representation, executed a registered Power of Attorney Document bearing Document No.362/2013 dated 18.01.2013 in her favour and also borrowed a sum of Rs.2 lakhs from the 4th respondent, agreeing to repay the same with an interest @ 12% per annum. However, to the shock and surprise of the petitioner and her husband, the henchmen belonging to the 4th respondent had barged into the premises stating that the petitioner and her husband had conveyed the said property in favour of the 4th respondent through a registered Document bearing No.1913/2013 dated 17.03.2013 registered on the file of the 3rd respondent. The petitioner, alleging fraud, fabrication of the documents and illegality, had submitted a representation dated 04.05.2016 to the respondents 1 and 2 and also lodged a complaint on the file of the Thirumullaivoyal Police Station, based on which a case in Cr.No.845/2016 came to be registered against the 4th respondent and four others and the investigation is pending. A representation was also submitted to the 1st respondent and vide Letter No.21175/U2/2016 dated 19.05.2016, the 1st respondent has directed the 2nd respondent to act on the representation and inform the decision taken to the petitioner and despite that, no orders have been passed by the 2nd respondent till date and hence, she came forward to file the present writ petition.

3 Heard the submissions of the learned counsel for the petitioner and Mr.R.A.S.Senthilvel, learned Additional Government Pleader, who accepts notice on behalf of the respondents 1 to 3.

4 Though the petitioner has prayed for a larger relief, this Court in the light of the facts and circumstances and without going into the merits of the same, directs the 2nd respondent to act on the communication of the 1st respondent dated 19.05.2016 in Letter No.21175/U2/2016 and after putting the 4th respondent on notice, the 2nd respondent shall pass orders 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 to the 4th respondent herein.

5 The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

- 1.The Inspector General of Registration
O/o.The Inspector General of Registration
No.100, Santhome High Road,
Chennai 600 028.
- 2.The District Registrar
O/o.The District Registrar,
North Chennai, Chennai.
- 3.The Sub Registrar
O/o.The Sub Registrar
Ambattur, Chennai.

+1cc to R.Nilavazhagan, Advocate SR.44338
+1cc to the Government Pleader Sr.44580

सत्यमेव जयते

W.P.No.27193/2016

ctr[co]
srg 29/08/2016

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