

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.27572 of 2016

T.V.Lokaiah

... Petitioner

Vs.

1. The Inspector General of Registration
O/o.The Inspector General of Registrar,
Raja Annamalaipuram, Chennai 600 028.
2. The District Registrar [Admn] in-charge
South Chennai in the cadre of Deputy
Inspector General of Registration,
Saidapet, Chennai 600 015.
3. The Sub Registrar
Kundrathur, Kancheepuram District.
4. The Sub Registrar
[District Registrar [admin]]
Kayalpattinam, Tuticorin District.
5. The Deputy Commissioner of Police
Central Crime Branch, Vepery,
Chennai 600 007.
6. S.A.Selvakumar
7. D.Kartheesan
8. T.Raghupathy

... Respondents

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Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the 1st respondent to consider the representation of the petitioner dated 25.03.2016 and cancel the sale deed dated 25.04.2007 bearing Document No.6168/2007 on the file of the SRO, Kundrathur, the 3rd respondent herein and General Power of Attorney bearing Document No.17/2010 registered on the file of the 3rd respondent herein and also General Power of Attorney Deed dated 03.05.2006 bearing Document No.170/2006 on the file of the 4th respondent herein with respect to the property

namely an extent of 2400 sq.ft. of house site comprised in O.S.No.136/2, New Sub Division No.136/1A1B bearing Plot No.9, Lakshmi Nagar Extension, Porur, Chennai 600116 in Patta No.4971 situated within the Sub Registration District of Kundrathur and Registration District of North Chennai.

For Petitioner : Mr.S.Sadashram

For RR 1 to 5 : Mr.P.Sanjay Gandhi,
Additional Government Pleader

O R D E R

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

2. The petitioner, alleging fabrication, fraud and impersonation in respect of the house site admeasuring to an extent of 2400 sq.ft., with a thatched hut in Plot No.9, comprised in OS.No.136/2, new Sub Division No.136/1A1B, Patta No.4971 of Porur Village, Kancheepuram District, purchased by him and his wife through a registered Sale Deed bearing Document No.653/2001 dated 19.02.2001, registered on the file of the office of the Sub Registrar, Kundrathur, the 3rd respondent herein, had lodged a police complaint and the Deputy Commissioner of Police, Crime Branch, Vepery, Chennai-7, sent a communication to the 1st respondent dated 30.11.2013, stating that a prima facie evidence is available to show that four documents referred to, have been created fraudulently. The petitioner, in this regard, has also approached the office of the 1st respondent for cancellation of the Document No.170/2006, 6168/2007, 17/2010 and 316/2010 registered by the 3rd respondent and the 1st respondent, in turn, has directed the 2nd respondent to take appropriate action. Accordingly, the 2nd respondent, vide proceedings dated 04.02.2016 in No.13200/M3/2012, has directed the 3rd respondent to take appropriate action and inform the decision taken, to the petitioner. The office of the 2nd respondent has also sent a reminder dated 14.03.2016 to the 3rd respondent to do so and despite the communication of the 3rd respondent, the 4th respondent did not chose to take any action and the petitioner is yet to be favoured with any kind of response and hence, the petitioner came forward to file this writ petition.

3. Heard the submissions of Mr.S.Sadasharam, the learned counsel for the petitioner and Mr.P.Sanjay Gandhi, learned Additional Government Pleader who accepts notice on behalf of the respondents 1 to 5.

4. Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and

circumstances and without going into the merits of the same, directs the respondents 3 and 4 to act on the proceedings of the 2nd respondent dated 04.02.2016 in No.13200/M3/2012 as well as the reminder dated 14.03.2016 in Letter No.13200/M1/M3/2012 in accordance with law, after putting on notice, the respondents 6 to 8 and pass orders within a period of six 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 respondents 6 to 8.

5. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

AP

To

1. The Inspector General of Registration
O/o.The Inspector General of Registrar,
Raja Annamalaipuram, Chennai 600 028.
2. The District Registrar [Admn] in-charge
South Chennai in the cadre of Deputy
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3. The Sub Registrar
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4. The Sub Registrar
[District Registrar [admin]]
Kayalpattinam, Tuticorin District.
5. The Deputy Commissioner of Police
Central Crime Branch, Vepery,
Chennai 600 007.

+lcc to Mr.S.Sadasharam, Advocate, S.R.No.44837
+lcc to the Government Pleader, S.R.No.45062

W.P.No.27572 of 2016

SV(CO)
CA(18/08/2016)