

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.08.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.29448/2016

M.Sunderaswaran

.. Petitioner

Vs.

1.The Inspector General of Registration
Registration Department, Head Office
No.20, Santhome Highways
Chennai 600 028.

2.The District Registrar
District Registrar Office,
Rangapalayam, Erode District.

3.The Sub Registrar
Sub Registrar Office
Bhavani, Erode District.

4. The District Registrar,
District Registrar Office,
Salem District

5. The Sub Registrar,
Sub Registrar Office
Dadagapatty, Salem District.

6. The District Registrar
District Registrar Office
Thumakurichi Post, Namakkal District.

7.The Sub Registrar
Sub Registrar Office,
Kumarapalayam, Namakkal District.

8.Mr.Mohanselvam

9.K.Mohan

10.M.Sarala

11.B.V.L.Ravi

12.K.Seerangan

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus to direct the 2nd respondent to conduct an enquiry based on the petitioner's representation dated 03.06.2016 and to declare the power of Attorney in Document No.630/2007 on the file of the 2nd respondent is null and void.

For Petitioner : Mr.L.Chandrakumar for
Mr.G.Shanmugam
For R1to R7 : Mr.S.Navaneethan, AGP

ORDER

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

2 The petitioner would state that his grandfather, viz., Kuppusamy Chettiyar, has possessed 16.50 acres of land in SF.Nos.769, 770, 771/1 and 772, situate at Bhavani to Mettupalayam Road, Erode District and his grandfather was in enjoyment of the said property till his demise. Since he died intestate, his two sons, namely, T.K.Chandrasekaran and K.Mohan [petitioner's father] succeeded the estate and further that the father and mother of the petitioner have executed a Power of Attorney on their behalf and also on behalf of his brothers and sisters to one Mohanselvam and would further claim that at the time of the execution of the said document, all of them were minors and the said Power of Attorney document was also registered as Document No.630/2007 on the file of the office of the Sub Registrar, Karunkalpalayam, Erode District and based on the same, the Power of Attorney agent has sold 4 acres out of 8.25 acres to one Mr.Seerangan and the Power of Attorney agent himself has purchased the land admeasuring to an extent of 777 sq.ft., at Erumapalayam, Salem District, for his own use. The grievance expressed by the petitioner is that the Power of Attorney agent had fraudulently clubbed two difference properties which comes under two different Registrar Offices and sold the properties in order to make a wrongful gain and in this regard, the petitioner has submitted a representation dated 03.06.2016 to the respondents and since no orders have been passed, the petitioner came forward to file the present writ petition.

3 Heard the submissions of the learned counsel for the petitioner and Mr.S.Navaneethan, learned Additional Government Pleader, who accepts notice on behalf of the respondents 1 to 7.

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 claim projected by the petitioner either in his representation or in this writ petition, directs the 2nd respondent to consider and dispose of the petitioner's representation dated 03.06.2016 in accordance with law, after putting on notice, the respondents 8 to 12 and pass orders 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 respondents 8 to 12.

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

s/d-
Assistant Registrar (CS-VI)

True Copy

Sub-Assistant Registrar

AP

To

1. The Inspector General of Registration
Registration Department, Head Office
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7. The Sub Registrar
Sub Registrar Office,
Kumarapalayam, Namakkal District.

+1 CC to Mr. G. Shanmugam, Vide Sr.No.48211

WP.No.29448/2016

SKV (CO)

MD : 07/09/2016