

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 20.04.2017

CORAM

The Honourable MR. JUSTICE M.DURAI SWAMY

W.P.No.9646 of 2017

K.Prabhavathi

[Petitioner]

Vs

1 The Inspector General of Registration
100 Santhome High Road
Chennai-28

2 The District Registrar
201, J.N.Road Taluk Office Compound
Tiruvallur - 602 001

3 The sub Registrar
Sub Registrar Office Thiruvallur- 602 001

4 R.Sridevi

[Respondents]

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the 2nd respondent to conduct an enquiry relating to the fraudulent registration of the sale deed dated 06.09.2005 (Doc. No.8911/ 2005) registered on the file of the 3rd respondent in exercise of the power conferred under Sections 81 to 83 of the Registration by considering petitioners representations dated 23.09.2016 and 27.11.2016.

For Petitioner : Mr.N.Manokaran

For Respondents : Mr.A.N.Thambidurai, SGP (R1-3)

ORDER

Mr.A.N.Thambidurai, learned Special Government Pleader, takes notice for the respondents 1 to 3.

2. By consent, the main writ petition itself is taken up for final disposal at the admission stage itself.

3. The petitioner has filed the above writ petition to issue a writ of mandamus directing the 2nd respondent to conduct an enquiry relating to the fraudulent registration of the sale deed dated 06.09.2005 (Doc.No.8911/2005) registered on the file of the 3rd respondent, in exercise of the power conferred under Sections 81 to 83 of the Registration Act, by considering her representations dated 23.09.2016 and 27.11.2016.

4. Mr.N.Manokaran, learned counsel appearing for the petitioner submitted that inspite of the petitioner's representations dated 23.09.2016 and 27.11.2016 to conduct an enquiry relating to the fraudulent registration of the sale deed dated 06.09.2005, the 2nd respondent has not conduct any enquiry and passed orders on the same till this date.

5. Mr.A.N.Thambidurai, learned Special Government Pleader, appearing for the respondents 1 to 3 submitted that the 2nd respondent may be directed to consider the petitioner's representations for conducting enquiry and may be directed to pass orders in accordance with law, after giving notice to the 4th respondent.

6. Having regard to the submissions made by the learned counsel on either side, taking into consideration the limited prayer sought for by the petitioner in the writ petition, without expressing any opinion with regard to the merits of the case, I direct the 2nd respondent to consider the petitioner's representations dated 23.09.2016 and 27.11.2016 to conduct enquiry relating to the alleged fraudulent registration of sale deed dated 06.09.2005 and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after giving notice to the 4th respondent and other interested parties, if any.

With the above observation, the writ petition is disposed of. No costs.

-s/d-
Assistant Registrar(CSVIII)

True Copy

Sub-Assistant Registrar

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To

1 The Inspector General of Registration
100 Santhome High Road
Chennai-28

2 The District Registrar
201, J.N.Road Taluk Office Compound
Tiruvallur - 602 001

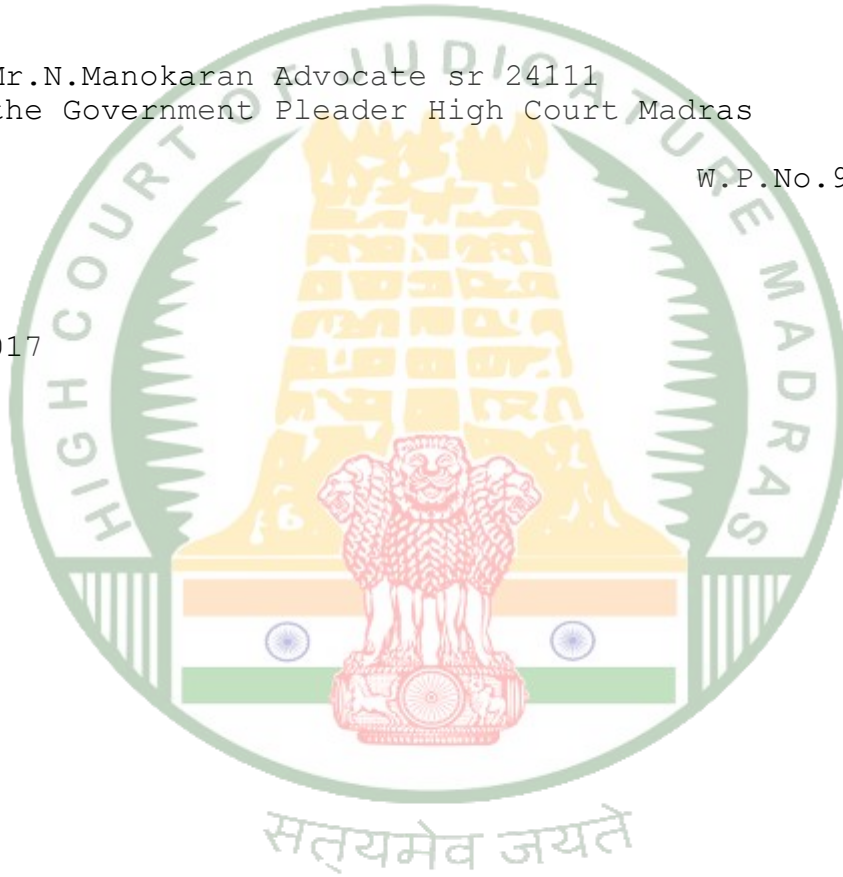
3 The sub Registrar
Sub Registrar Office Thiruvallur- 602 001

+1 cc to Mr.N.Manokaran Advocate sr 24111

+1 cc to the Government Pleader High Court Madras
sr 24369

W.P.No.9646 of 2017

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