

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:24.04.2017

CORAM

THE HON'BLE MR. JUSTICE M.DURAISWAMY

W.P.No. 9980 of 2017
and W.M.P.No.10984 of 2017

M.Madhu

...Petitioner

Versus

1. The District Registrar (Administration)
Dharmapuri District, Dharmapuri
 2. The Sub-Registrar
Pennagaram - SRO,
Dharmapuri District.
 3. R.Venkatesh
-Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st respondent to consider the petitioner's representation / complaint dated 17.06.2016 regarding cancellation of fraudulently registered documents / sale deeds such as (a) Settlement Deed dated 05.11.2009, registered as Doc.No.2828/2009, SRO Pennagaram. (b) Deed of General Power of Attorney dt: 04.01.2010 registered as Doc.1/2010 , SRO Pennagaram. (c) Sale Deed 21.01.2010 registered as Doc No. 103/2010 SRO, Pennagaram (d) Sale Deed 21.01.2010, registered as Doc.No104/2010 SRO, Pennagaram. (e) Sale Deed 13.05.2013 registered as Doc. No.1553/2013, SRO Pennagaram, in respect of Petitioner's land situated in Anjehalli (Rangapuram) Village bearing S.No.1012. (As per updated patta bearing number 10112/1A - measuring Hec.3.50.0 (ie., 8/50 Acres) and pass orders cancelling the same as null and void in accordance with law, within a stipulated time.

For Petitioner

: Mr.D.Baskar

For Respondents

: Mr. A.N.Thambidurai

(Spl. Govt. Pleader) (R1-2)

ORDER

Mr.A.N.Thambidurai, learned Special Government Pleader, takes notice for the respondents 1 and 2.

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 first respondent to consider his representation / complaint dated 17.06.2016 regarding cancellation of fraudulent registered documents dated 05.11.2009, 04.01.2010, 21.01.2010 and 13.05.2013, registered in the office of Sub Registrar's Office, Pennagaram in respect of the petitioner's land situated in Anjehalli (Rangapuram) Village bearing S.No.1012, (as per patta bearing number 1012/A), measuring an extent of 3.50.0 Hectares (i.e. 8.50 acres) and pass orders cancelling the same as null and void, in accordance with law, within a time frame.

4. The learned counsel appearing for the petitioner submitted that the first respondent, pursuant to the petitioner's complaint dated 17.06.2016, has conducted an enquiry in the month of October 2016. However, he has not passed any order so far.

5. Mr. A.N.Thambidurai, learned Special Government Pleader appearing for the respondent 1 & 2 submitted that the first respondent may be directed to pass orders on the complaint made by the petitioner, if the same has not been passed in accordance with law.

6. Having regard to the submissions made by the learned counsel on either side and taking into consideration the limited prayer sought for in the writ petition, without expressing any opinion with regard to the merits of the case, in case the petitioner's complaint dated 17.06.2016 is still pending before the first respondent, I direct the first respondent to pass orders on the same, on merits and in accordance with law, within four weeks from the date of receipt of copy of this order, after giving an opportunity of hearing to the 3rd respondent.

With this observation, the writ petition is disposed of. Consequently connected miscellaneous petition is closed. No costs.

-s/d-
Assistant Registrar (CCC)

True Copy

Sub-Assistant Registrar

To

1. The District Registrar (Administration)
Dharmapuri District, Dharmapuri
2. The Sub-Registrar
Pennagaram - SRO,
Dharmapuri District.

+1 CC to M/s. R. Thamarai Selvan, Advocate sr 24549
+1 CC to Govt. Pleader sr 25004

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RK (CO)
sp/9/5



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