



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.11.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.(MD)No.12836 of 2015

K.Balasundar

... Petitioner

Vs.

1.The Inspector General of registration,
Chennai - 600 028.

2.The District Registrar,
District Registration Office,
Tenkasi,
Tirunelveli District.

3.The Sub Registrar,
Sub Registrar Office,
Puliyangudi,
Sivagiri Taluk,
Tirunelveli District.

4.Jeyasiliyammal

5.S.Michael Samy

6.Thiruneelapandiyan

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to consider and dispose of the petitioner's representation dated 02.07.2015 as per Circular No. 67 of 2011 issued by the first respondent within a stipulated time by offering opportunity to the respondents 4 and 6.

For Petitioner	: Mr.M.Sathiyamoorthy
For R.1 to R.3	: Mr.T.S.Mohamed Mohideen, Additional Government Pleader
For R.4 & R.5	: Mr.K.N.Govardhanan
For R.6	: Mr.N.Tamilmani

ORDER

<https://hcservices.ecourts.gov.in/hcservices> By consent, this Writ Petition itself is taken up for final disposal.



2. Heard the learned Counsel on either side.

3. According to the petitioner, the property in question was purchased by his father from one Jeyasiliammal and Soosai, by way of sale deed, dated 22.04.1985. While so, the fourth respondent colluded with the fifth respondent executed a sale deed in favour of the sixth respondent, including the petitioner's land by creating forged documents. Therefore, the petitioner has submitted a representation dated 02.07.2015 to the respondents 1 to 3, seeking cancellation of the said forged document. Since the said representation has not been considered so far, the petitioner is before this Court with the above prayer.

4. The learned Additional Government Pleader appearing for the respondents 1 to 3 would submit that the District Registrar/second respondent is the competent authority to pass orders in this matter and if a reasonable time is granted to him, appropriate orders will be passed on the representation of the petitioner dated 02.07.2015.

5. Considering the facts and circumstances of the case, this Court, without going into the merits of the petitioner's claim, directs the second respondent to consider the representation of the petitioner, dated 02.07.2015 and pass appropriate orders thereon, on merits and in accordance with law, in line with the modified circular dated 08.11.2017, after affording due opportunity of hearing to the petitioner and respondents 4 to 6 as well as other interested parties, if any, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AD-I)

/True Copy/

Sub Assistant Registrar

To

1.The Inspector General of registration,
Chennai - 600 028.

2.The District Registrar,
District Registration Office,
Tirunelveli District.



3.The Sub Registrar,
Sub Registrar Office,
Puliyangudi,
Sivagiri Raluk,
Tirunelveli District.

+1cc to M/S.N.Tamilmani, Advocate SR.No. 88398
+1cc to Special Government Pleader, SR.No. 89086

W.P (MD) No.12836 of 2015
21.11.2017

RM
JM/KP/SAR 4/06.12.2017/3P/6C