



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.12.2017

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.(MD)No.21310 of 2014

and

MP(MD) Nos.1 and 2 of 2014

N.M.Aysha Beevi

... Petitioner

Vs.

1.The Inspector General of registration,  
O/o.The Inspector General of Registration,  
Ezhilagam,  
Chennai - 28.

2.The District Registrar,  
O/o. The District Registrar,  
Registration Department,  
Virudhunagar District  
Virudhunagar.

3.The Sub Registrar,  
O/o. The Sub Registrar,  
Veerasoalan,  
Virudhunagar District.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to take further proceedings in Na.Ka.No. 7374/Oo3/2012 dated 04.06.2013 on the file of the second respondent based on the circular No. 67 dated 03.11.2011 (C.No. 52338/C1/2011) issued by the first respondent.

For Petitioner : Mr.S.A.S.Alaudeen

For R.1 to R.3 : Mr.T.S.Mohamed Mohideen,  
Additional Government Pleader

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#### ORDER

This Writ petition has been filed seeking a Writ of Mandamus to direct the second respondent to take further proceedings in Na.Ka.No. 7374/Oo3/2012 dated 04.06.2013 on the file of the second respondent based on the circular No. 67 dated 03.11.2011 (C.No. 52338/C1/2011) issued by the first respondent



2. Heard the learned Counsel on either side.

3. According to the petitioner, the property in question is belongs to him. Whereas, some third parties, by creating forged documents and obtained patta in their name. Therefore, the petitioner has submitted a representation to the respondents, seeking cancellation of the said forged document. Based on which, the second respondent has passed the impugned order, which, according to the petitioner was not contemplated under Circular 67. As against the same, the petitioner is before this Court with the above prayer.

4. The learned Counsel appearing for the petitioner would submit that it would suffice, if the representation of the petitioner be considered by the second respondent, based on the modified circular dated 08.11.2017, within a reasonable time stipulated by this Court.

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 pass further orders in the subject matter, 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 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 petitions are closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

- 1.The Inspector General of registration,  
O/o.The Inspector General of Registration, Ezhilagam, Chennai-28.
- 2.The District Registrar, O/o. The District Registrar,  
Registration Department, Virudhunagar District, Virudhunagar.
- 3.The Sub Registrar, O/o. The Sub Registrar,  
Veerasoalan, Virudhunagar District.

+1CC to Mr.S.A.S.Alaudeen, Advocate, SR.No. 91366

+1CC to the Special Government Pleader SR.No.91405

W.P (MD) No.21310 of 2014

05.12.2017