



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2017

CORAM:

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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P. (MD) No.10749 of 2017

Kasthuri Ammal

...Petitioner

-Vs-

1. The Inspector General of Registration,
Office of the Inspector General of Registration,
No.100, Santhome, Chennai-600 028.

2. The District Registrar,
Document Registration Department,
Sivagangai,
Sivagangai District.

3. The Sub-Registrar,
Thiruppuvanam,
Thiruppuvanam Sub-Registrar Office,
Sivagangai District.

4. The Inspector of Police,
District Crime Branch,
Sivagangai District.

5. Muthurakku

6. Muruki

7. Poomaiyel

8. Murali

9. Vinothkumar

10. Arunkumar

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 2nd respondent to consider the petitioner's representation dated, 15.03.2017 within a time frame that may be stipulated by this Court and directing the 2nd respondent to cancel the fraudulent Sale Deed in Document No.3863 of 2015, dated 12.08.2015 and connected fraudulent Sale Agreement Deed in Document No.2962 of 2015 dated 19.06.2015 and connected fraudulent Release Deed in Document No.1011 of 2015, dated 03.03.2015 on the file of the 3rd respondent, as per the Circular issued by the 1st respondent in his Circular No.67 in C.No.52338/C1/2011, dated 03.11.2011.



For Petitioner : Mr.R.Udhayakumar

For R1 to R4 : Mr.A.Muthukaruppan
Additional Government Pleader

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O R D E R

This Writ Petition is filed for issuance of a Writ of Mandamus, directing the 2nd respondent to consider the petitioner's representation dated, 15.03.2017 within a time frame that may be stipulated by this Court and directing the 2nd respondent to cancel the fraudulent Sale Deed in Document No.3863 of 2015, dated 12.08.2015 and connected fraudulent Sale Agreement Deed in Document No.2962 of 2015 dated 19.06.2015 and connected fraudulent Release Deed in Document No.1011 of 2015, dated 03.03.2015 on the file of the 3rd respondent, as per the Circular issued by the 1st respondent in his Circular No.67 in C.No.52338/C1/2011, dated 03.11.2011.

2. The case of the petitioner is that 12.06.1995, she purchased the property to an extent of 0.060.0 hectare in Survey No.106/2 of Thappaliyenthal Village in Theli Group, Thiruppuvanam Taluk, Sivagangai District. Since then, she has been in possession and enjoyment of the property.

3. The learned counsel for the petitioner would submit that on 03.02.2015, the sixth respondent herein, namely, Muruki executed a release deed in favour of the seventh respondent and based on the release deed, the respondents 7 to 10 executed a sale deed in favour of the fifth respondent on 27.08.2015. It has registered as Document No.3863 of 2015. After the petitioner became aware of the above fact, she lodged a criminal complaint, which has registered in Crime No.13 of 2016, for the offences under Sections 406, 468, 471, 420 and 120(b) of IPC. Thereafter, the petitioner made a representation to the respondents 2 and 3 to cancel the fraudulent documents. Since no action was taken, the present Writ Petition is filed.

4. Mr.A.Muthukaruppan, learned Additional Government Pleader would submit that the first respondent has already issued a letter dated, 04.04.2017 directing the second respondent to consider the representation of the petitioner, dated 15.03.2017.

5. Heard both sides and perused the materials available on record.

6. Considering the facts of the case and the submission of the learned Additional Government Pleader, the second respondent is directed to consider the petitioner's representation, dated 15.03.2017 and pass orders on merits in accordance with law, after



providing opportunity to the respondents 5 to 10 as expeditiously as possible, preferably within a period of eight weeks from the date of receipt of a copy of this order.

7. With the above direction, the Writ Petition is disposed of.
No costs.

Sd/-
Assistant Registrar(Writs)

/True copy/

Sub Assistant Registrar

To

1. The Inspector General of Registration,
Office of the Inspector General of Registration,
No.100, Santhome, Chennai-600 028.
2. The District Register,
Document Registration Department,
Sivagangai,
Sivagangai District.
3. The Sub-Registrar,
Thiruppuvanam,
Thiruppuvanam Sub-Registrar Office,
Sivagangai District.
4. The Inspector of Police,
District Crime Branch,
Sivagangai District.

+1 cc to Mr.R.Udhayakumar , Advocate in SR.No. 59306
+1 cc to Special Government Pleader in SR.No.59746

PSD/PJL
AE/RSK/SAR2/27.06.2017/3P/7C

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