



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 04.09.2017
CORAM

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P.(MD)No.16275 of 2017

WEB COPY

C.Pandiammal

: Petitioner

-vs-

1. The Inspector General of Registrar,
Tamilnadu Registration Department,
Chennai.
2. The District Registrar,
The District Registration Office,
No.52, South Agraharam,
Thenkarai, Periyakulam,
Theni District.
3. The Sub Registrar,
Kadamalaikundu Sub Registration Office,
Kadamalaikundu,
Theni District.

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, to direct the 2nd respondents to take appropriate action under sections 82 and 83 of the Registration Act and as per Circular 67 for the illegal unilateral cancellation of the sale deed bearing document No.975, dated 31.10.2002 and the subsequent sale deed bearing document No.977 of 2002, dated 01.11.2002 by considering the representation, dated 02.11.2016.

For Petitioner

: Mr.S.C.Herold Singh

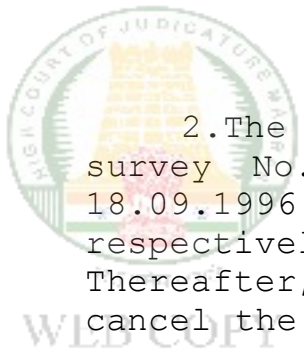
For Respondents

: Mr.C.Selvaraj

Special Government Pleader

O R D E R

The prayer sought for in this writ petition is to direct the 2nd respondent to take appropriate action under sections 82 and 83 of the Registration Act and as per Circular 67 for the illegal unilateral cancellation of the sale deed bearing document No.975, dated 31.10.2002 and the subsequent sale deed bearing document No.977 of 2002, dated 01.11.2002, by considering the representation, dated 02.11.2016.



2.The petitioner would state that she purchased properties in survey No.546 at Mayiladum Parai Village, Theni District, on 18.09.1996 for valid consideration of Rs.9,000/- and Rs.20,000/- respectively from one Karuthakannu Thevar and Papathiammal. Thereafter, on 31.10.2002, the said persons executed a document to cancel the sale deed, dated 18.09.1996.

3.The petitioner would claim that in pursuance of the illegal cancellation of the sale deed, the said Karuthakannan Thevar and his wife Papathiammal executed a sale deed in favour of one Inbarani on 01.11.2002 and the same was registered before the 3rd respondent as document No.977 of 2002. Hence, the petitioner sent representation, dated 2.11.2016 to the respondents to conduct an enquiry under Circular 67, dated 03.11.2011 issued by the Inspector General of Registration. Since, there is no response, the present writ petition has been filed.

4.Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents and perused the materials available on record.

5.Considering the limited scope of the relief sought for by the petitioner, without going into the merits of the matter, this writ petition is disposed of with a direction to the 2nd respondent to consider the representation of the petitioner, dated 02.11.2016 and pass appropriate orders purely on merits and in accordance with law, after affording opportunity of hearing to the petitioner and the necessary parties, if any, in the light of Circular No.67, dated 03.11.2011 of the Inspector General of Registration, Chennai, within a period of four months from the date of receipt of the order copy. No costs.

Sd/-

Assistant Registrar (CO)

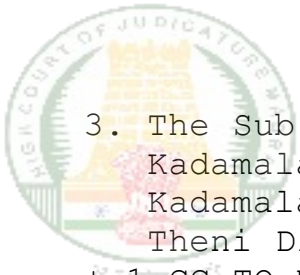
/True copy/

Sub Assistant Registrar

To

1. The Inspector General of Registrar,
Tamilnadu Registration Department,
Chennai.

2. The District Registrar,
The District Registration Office,
No.52, South Agraharam,
Chennai-600 086, Sriyakkulam,
Theni District.



3. The Sub Registrar,
Kadamalaikundu Sub Registration Office,
Kadamalaikundu,
Theni District.

+1 CC TO MR.S.C.Herold Singh, ADVOCATE IN SR No.76383

+1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 76873

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MK/SV MMS/SAR-2/26.09.2017/3P/6C

W.P. (MD) No.16275 of 2017
04.09.2017