



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.09.2017

CORAM:

WEB COPY

THE HONOURABLE **MR. JUSTICE K.KALYANASUNDARAM**

W.P. (MD) No.17213 of 2017

and

W.M.P. (MD) No.13780 of 2017

M.Subbiah

... Petitioner

Vs.

1. The District Registrar,
Sivagangai District.

2. The Sub Registrar,
Singampunari Sub Registrar Office,
Sivagangai District.

3.Chakravarthy

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to instruct the second respondent to cancel the sale deed in Document No.619/2011 by the third respondent on the file of the second respondent as per the order passed by the first respondent in Na.Ka.NO.2263/A1/2013 dated 14.07.2015.

For Petitioner : Mr.G.Thiruvavutselvan

For RR 1 & 2 : Mr.C.Selvaraj
Spl. Govt. Pleader

O R D E R

The present writ petition is filed for a direction to the first respondent to instruct the second respondent to cancel the sale deed in Document No.619/2011 by the third respondent on the file of the second respondent as per the order passed by the first respondent in Na.Ka.NO.2263/A1/2013 dated 14.07.2015.

2.Mr.C.Selvaraj, learned Special Government Pleader takes notice for the respondents 1 and 2. By consent, this writ petition is taken up for final disposal at the admission stage itself.

<https://hcservices.ecourts.gov.in/hcservices/>

3.The petitioner would state that he is absolute owner of the



property in S.No.286/7A in patta No.3745 to an extent of 3.6 Ares vide sale deed Document No.785/2011. The fourth respondent created a forged sale deed dated 04.05.2011 registered as Document No.619 of 2011. Hence, he preferred a representation to the first respondent to take action under Circular 67. The first respondent, after enquiry, held that the sale deed is void. Thereafter, the petitioner sent a representation dated 23.03.2017 to the respondents 1 and 2 to implement the said order. Since there is no progress, the present writ petition.

4.Considering the limited scope of the prayer sought for by the petitioner, this Court, without going into the merits of the matter, directs the second respondent to consider the representation of the petitioner dated 23.03.2017 and pass appropriate orders on merits and in accordance with law, after providing opportunity to all necessary parties, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(Crl side)

/True Copy/

Sub Assistant Registrar

To

1. The District Registrar,
Sivagangai District.
2. The Sub Registrar,
Singampunari Sub Registrar Office,
Sivagangai District.

+1cc to Mr.G.Thiruvarutselvan, Advocate in SR.No.78679

+1cc to The Special Government Pleader in SR.No.78833

skn

AE/KK/SAR1/22.09.2017/2P/5C

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