



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P (MD) No.19989 of 2017

and

W.M.P (MD) No.16267 of 2017

M.Thangaraj

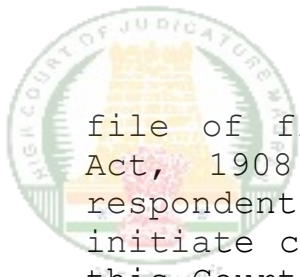
... Petitioner

Vs.

1. Inspector General of Registration,
O/o.Inspector General of Registration,
Santhome, Chennai.
2. The District Collector,
District Collectorate,
Tirunelveli, Tirunelveli District.
3. The Superintendent of Police,
O/o.The Superintendent of Police,
Palayamkottai, Tirunelveli District.
4. The District Registrar (Administration),
District Register Office, Tenkasi,
Tirunelveli District.
5. The Sub Registrar,
Sub Register Office,
Surandai, Tirunelveli District.
- 6.The Inspector of Police,
Surandai Police Station,
Surandai, Tirunelveli District.
- 7.Paramasivan
- 8.Lakshmanan
- 9.Ramkumar

... Respondents

PRAYER: Writ petition is filed, Under Article 226 of Constitution of India, to issue a writ of Mandamus directing the fourth respondent to take action against the respondents 7 to 9 with regard to the sale deed in No.771/2017 dated 09.03.2017 on the



file of fifth respondent as per Section 83 of the Registration Act, 1908 and on the basis of the Proceedings of the first respondent, dated 24.05.2017 in Muu.Mu.No.22506/U4/2017 and initiate criminal prosecution, within the time frame stipulated by this Court.

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For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.T.S.Mohammed Mohideen,
1 to 6 Additional Government Pleader.

O R D E R

This writ petition is filed seeking a writ of Mandamus to direct the fourth respondent to take action against the respondents 7 to 9 with regard to the sale deed in No.771/2017 dated 09.03.2017 on the file of fifth respondent as per Section 83 of the Registration Act, 1908 and on the basis of the Proceedings of the first respondent, dated 24.05.2017 in Muu.Mu.No.22506/U4/2017 and also initiate criminal prosecution, within the time stipulated by this Court.

2.Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader, takes notice for the respondents 1 to 6. In view of the nature of the relief sought for by the petitioner, notice to the remaining respondents is dispensed with.

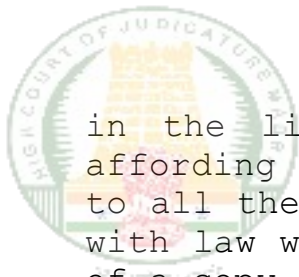
3.By consent of both the parties, this writ petition is taken up for final hearing at the stage of admission itself.

4.Heard both sides.

5.According to the petitioner, with regard to cancellation of fraudulent transfer made in respect of certain land, invoking Circular 67, dated 03.11.2011, issued by the Registration Department, the petitioner submitted a representation, dated 15.05.2017, to the respondents 1 to 6, upon which, the first respondent directed the fourth respondent to conduct enquiry, vide proceedings, dated 24.05.2017. Since the fourth respondent has not initiated any action, the petitioner is before this Court.

6.The learned Additional Government Pleader appearing for the respondents 1 to 6, brought to the notice of this Court that Circular No.67, dated 16.12.2016, had already been withdrawn and in view of the same yet another Circular, dated 08.11.2017, is issued.

<https://hcservices.ecourts.gov.in/hcservices/>
7.To give quietus, this Court, without going into the merits of the case, directs the first respondent to pass appropriate orders on the representation of the petitioner dated 15.05.2017,



in the light of the present Circular, dated 08.11.2017, after affording due opportunity of hearing to the petitioner as well as to all the interested parties, if any, on merits and in accordance with law within a period of the six weeks from the date of receipt of a copy of this order.

8. With the above direction, the writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector General of Registration,
O/o. Inspector General of Registration,
Santhome, Chennai.
2. The District Collector,
District Collectorate,
Tirunelveli, Tirunelveli District.
3. The Superintendent of Police,
O/o. The Superintendent of Police,
Palayamkottai, Tirunelveli District.
4. The District Registrar (Administration),
District Registrar Office, Tenkasi,
Tirunelveli District.
5. The Sub Registrar,
Sub Registrar Office,
Surandai, Tirunelveli District.
6. The Inspector of Police,
Surandai Police Station,
Surandai, Tirunelveli District.

+ 1 cc TO Mr.T.Lajapathi Roy , Advocate in SR No. 88815

+ 1 cc TO The Special Government in SR No. 89058

smn

AE/SKN RSK/SAR1/07.12.2017/3P/9C