

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 08.11.2017

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WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P. (MD) No.20591 of 2017andWMP (MD) No.16883 of 2017

Ponnuthai Ramamoorthy

... Petitioner

Vs.

- 1.The Inspector General of Registration,
Santhome High Road,
Chennai.
- 2.The District Registrar (Administration)
District Registrar Office,
Virudhunagar.
- 3.The Sub Registrar,
Virudhunagar Joint II Sub Registrar Office,
58/1, Cutchery Road, Virudhunagar - 626 001.
- 4.The Special Tahsildar
Natham Scheme,
Virudhunagar Taluk,
Virudhunagar.
- 5.A.Mani Subramanian
- 6.M.S.Arumugarajan
- 7.M.S.Meenakshi Sundaram
- 8.M.S.Manthirammoorthy

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 3 to cancel the forged settlement deed dated 10.02.2017 which was registered in document No. 356/2017 on the file of the third respondent in respect of the petitioner's land comprising in T.S.No. 1/2, Survey Ward 1, Block 1, Allampatti, Virudhunagar Municipal Town.

For Petitioner : Mr.P.Srinivas
For R.1 to R.4 : Mr.T.S.Mohamed Mohideen
Additional Government Pleader

ORDER

By consent, this Writ Petition itself is taken up for final disposal at the stage of admission itself.

2. Mr.T.S.Mohamed Mohideen, learned Additional Government Pleader takes notice for the respondents 1 to 4. Notice to the respondents 5 to 8 is dispensed with, as no adverse order is going to be passed against them.

3. It is the case of the petitioner that the property in question is in possession and enjoyment of the petitioner's family. While so, the fifth respondent executed a settlement deed in favour of his sons/the respondents 6 to 8 herein, including the petitioner's land by creating forged documents. Therefore, the petitioner has submitted several representations to the respondents, seeking cancellation of the said forged document. Finding no action, again the petitioner has submitted a representation dated 07.10.2017 before the respondents 1 to 4. Since the said representation has not been considered so far, the petitioner is before this Court with the above prayer.

4. Though the petitioner has sought for the larger relief as above, the learned Counsel for the petitioner would submit that it would suffice, if the representation dated 07.11.2017 submitted by the petitioner may be directed to be considered by the respondents 1 to 4.

5. At this juncture, learned Additional Government Pleader appearing for the respondents 1 to 4 would submit that if a reasonable time is granted to the respondents 1 to 4 the representation of the petitioner will be considered and suitable orders be passed.

6. Considering the limited scope of the relief sought for by the petitioner, this Court, without going into the merits of the petitioner's claim, directs the respondents 1 to 4 to consider the representation of the petitioner dated 07.10.2017 and pass appropriate orders thereon, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner, respondents 5 to 8 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.

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

Sd/-

Assistant Registrar(CS-III)

/True Copy/



To

1.The Inspector General of Registration,
Santhome High Road,
Chennai.

2.The District Registrar (Administration)
District Registrar Office,
Virudhunagar.

3.The Sub Registrar,
Virudhunagar Joint II Sub Registrar Office,
58/1, Cutchery Road, Virudhunagar - 626 001.

4.The Special Tahsildar
Natham Scheme,
Virudhunagar Taluk,
Virudhunagar.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 86551

+1cc to M/s.P.SRINIVAS Advocate in SR. No. 86148

RM

JS/KK/SAR.1/24.11.2017/3P-7C

W.P (MD) No.20591 of 2017
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