



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.11.2017

CORAM:

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

W.P (MD) No.1054 of 2016
and
W.M.P (MD) No.6783 of 2016

V.Venkatachalam

.. Petitioner

Vs.

1. The District Registrar, (Madurai South)
O/o.The District Registrar, Madurai South,
Department of Registration, Madurai.

2. The Sub Registrar,
Peraiyur Sub Registrar Office,
Peraiyur, Madurai District.

3.G.Mayandi

4.Kalimuthu

[Respondents 3 and 4 are impleaded vide
order dated 25.01.2016 made in
W.M.P (MD) No.1158 of 2016].

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the first respondent to dispose of the petitioner representation dated 09.12.2015 seeking to cancel the forged power deed registered as document Number 3712/2015 dated 05.08.2015 before the second respondent and in consequent there of reject the pending document Number P 201500028 pending on the file of the second respondent since those documents were not executed by the petitioner, but executed by somebody by fabricating the original documents within the time as stipulated by this Court.

For Petitioner

: Mr.N.Tamilmani

For Respondents 1 and 2

: Mr.M.Alagathevan,
Special Government Pleader.

For Respondents 3 and 4

: No appearance

**ORDER**

This writ petition is filed seeking a writ of Mandamus to direct the first respondent to cancel the forged power deed registered as Document No.3712/2015, dated 05.08.2015, on the file of the second respondent and also reject the pending Document No.P 201500028 pending on the file of the second respondent, based on the petitioner's representation dated 09.12.2015, within the time stipulated by this Court.

2.The case of the petitioner is that in respect of three items of his own properties, a power deed fraudulently came to be registered before the second respondent and on the strength of the same, the third respondent executed a sale deed in favour of the fourth respondent and the said sale deed is pending registration before the second respondent. Therefore, the petitioner made a representation dated 09.12.2015 to the first respondent, seeking to cancel the said power deed and also reject the sale deed. Since the same has not been considered so far, the petitioner is before this Court.

3.Despite notice being served on the respondents 3 and 4, there is no representation on behalf of them either in person or through counsel.

4.Heard learned counsel appearing for the petitioner as well as the learned Special Government Pleader appearing for the respondents 1 and 2.

5.The learned counsel for the petitioner would submit that it would be suffice, if the representation of the petitioner dated 09.12.2015, is disposed of by the first respondent as per law.

6.Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the first respondent to consider the representation of the petitioner dated 09.12.2015, and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner as well as any of the interested parties including the respondents 3 and 4, within a period of six weeks from the date of receipt of a copy of this order.

7.The writ petition is disposed of as above. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(T&P)

/True Copy/



To

1. The District Registrar, (Madurai South),
O/o. The District Registrar, Madurai South,
Department of Registration, Madurai.

2. The Sub Registrar,
Peraiyur Sub Registrar Office,
Peraiyur, Madurai District.

+ 1 cc TO Mr.N.Tamilmani , Advocate in SR No. 88422
+ 1 cc TO The Special Government Pleader in SR No. 89095

smn

AE/SKN RSK/SAR1/08.12.2017/3P/5C

ORDER MADE IN
W.P (MD) No.1054 of 2016
and
W.M.P (MD) No.6783 of 2016
21.11.2017