



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.12.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.22793 of 2017

M.Munnamalai

... Petitioner

-vs-

1. The District Registrar,
The District Registration Office,
Madurai (South), Raja Kambeeram,
Y.Othakadai, Madurai District.

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

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 01.12.2017 to take appropriate action under Sections 82 and 83 of the Registration Act and as per Circular Letter No.41530/U1/2017 dated 08.11.2017 issued by the Inspector General of Registrar Tamil Nadu Registration Department, Chennai for the illegal registration of the sale deed bearing Doc.No.5697 of 2010 dated 29.11.2010.

For Petitioner : Mr.M.Jegadeesha Pandian

For Respondents : Mr.J.Gunaseelan Muthiah
Govt. Advocate

O R D E R

This writ petition has been filed, seeking a direction to the respondents to consider the petitioner's representation dated 01.12.2017 to take appropriate action under Sections 82 and 83 of the Registration Act and as per Circular Letter No.41530/U1/2017 dated 08.11.2017 issued by the Inspector General of Registration, Chennai for the illegal registration of the sale deed bearing Doc.No.5697 of 2010 dated 29.11.2010..



taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that there was an error committed by the Document Writer at the time of execution of Exchange Deed by showing the father's brother of the petitioner in the documents and though there was a mutual agreement between the father of the petitioner and his brother, now, his father's brother in collusion with his son-in-law created a forged document, which was registered before the 2nd respondent. Hence, the petitioner submitted a representation dated 19.04.2016 followed by a reminder dated 01.12.2017 to the respondents for suitable action against the unilateral fraudulent transaction. Since the said representation did not evoke any response so far, the petitioner is before this Court with the above prayer.

4. The learned Government Advocate appearing for the respondents would submit that if a reasonable time is granted to the respondents, the representation of the petitioner will be considered and appropriate orders be passed.

5. Considering the facts and circumstances of the case and also taking into account the limited scope of the relief sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the respondents to consider the representation dated 19.04.2016 followed by a reminder dated 01.12.2017 of the petitioner and pass necessary orders thereon on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner and other interested parties, if any in the light of the circular dated 08.11.2017.

6. With the above direction, this petition is disposed of. No costs.

Sd/-

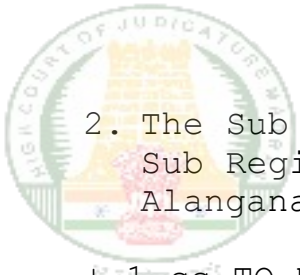
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To:

1. The District Registrar ,
The District Registration Office,
Madurai (South), Raja Kambeeram,
Y.Othakadai, Madurai District.



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

+1 cc TO Mr.M.Jegadeesha Pandian , Advocate in SR No. 92579

+1 cc TO The Special Government Pleader in SR No. 93120

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AE/KKR/SAR4/27.12.2017/3P/5C

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13.12.2017