



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN
W.P(MD) No.23610 of 2017

P.Eswaran

... Petitioner

vs.

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

2.The District Registrar,
Thenkarai,
Periyakulam Taluk,
Theni District.

3.The Sub Registrar,
O/o.The Sub Registrar,
Andipatti,
Theni District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to take appropriation action under Sections 82 and 83 of the Registration Act and as per the Circular Letter No.41530/U1/2017 dated 08.11.2017 for the unilateral illegal settlement deed bearing document No.129 on the file of the 3rd respondent thereby considering the petitioner's representation dated 23.08.2016.

For Petitioner : Mr.V.Sankaranarayanan

For Respondents : Mr.M.Alagathevan
Special Government Pleader

O R D E R

This writ petition has been filed, seeking a direction to the second respondent to take appropriation action under Sections 82 and 83 of the Registration Act and as per the Circular Letter No.41530/U1/2017 dated 08.11.2017 with regard to the unilateral settlement deed bearing document No.129 on the file of the third respondent, by considering the petitioner's representation dated 23.08.2016.

2.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents. By consent, the writ petition itself is taken up for



final disposal at the stage of admission.

3.The case of the petitioner is that the property in Survey No.155 situated at Thimmarasanaickanur Revenue Village, Andipatti Taluk, Theni District has been purchased by the petitioner's mother and after her demise, the petitioner has been in possession and enjoyment of the same. While so, one Jeyamani has unilaterally executed a settlement deed in favour of her husband in respect of the said property, by fabricating some documents. Hence, the petitioner has given a representation dated 23.08.2016 to the respondents, seeking to take action in this regard. As the same has not been considered so far, the petitioner is before this Court with the above prayer.

4.The learned counsel appearing for the petitioner submitted that the respondents, being the statutory authorities, should take action against the concerned persons in respect of the unilateral fraudulent transaction. But no effective steps have been taken by the respondents, despite a representation has been given by the petitioner. Therefore, the present writ petition has been filed for getting the relief sought therein.

5.At this juncture, the Special Government Pleader appearing for the respondents submitted that if reasonable time is granted to the second respondent, the representation of the petitioner will be considered and appropriate orders will be passed.

6.Considering the facts and circumstances of the case and also considering the submissions made on either side, this Court, without going into the merits of the matter, directs the second respondent to consider the petitioner's representation dated 23.08.2016 as per the Circular Letter No.41530/U1/2017 dated 08.11.2017 and pass appropriate orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner and any of the interested parties.

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

Sd/-

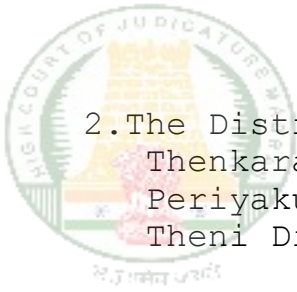
Assistant Registrar (T&P)

/True copy/

Sub Assistant Registrar

To

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



2.The District Registrar,
Thenkarai,
Periyakulam Taluk,
Theni District.

3.The Sub Registrar,
O/o.The Sub Registrar,
Andipatti,
Theni District.

+1cc to M/S.Special Government Pleader,SR. 94826
+1cc to Mr.V.SANKARA NARAYANAN,Advocate,SR. 94065

W.P (MD) No.23610 of 2017
21.12.2017

MJ
KK/KKR/SAR 4/09.01.2018/ 3P- 6C/