

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.4259 of 2017

and

W.M.P.Nos.4417 and 14041 of 2017

Walter Fernandes

... Petitioner

Vs

1.The Inspector General of Registration,
Santhome High Road,
Mylapore, Chennai - 600 004.

2.The District Registrar (Admin),
Krishnagiri District,
Krishnagiri.

3.The Sub-Registrar,
Denkanikotai,
Krishnagiri District.

4.The Deputy Superintendent of Police,
Anti Land Grabbing Cell,
Office of Superintendent of Police,
Krishnagiri District.

5. Mr.Ivan D'souza

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the respondents 1 to 3 to conduct the enquiry regarding the contents of document No.P-43/2016 and to release the document to the petitioner.

For Petitioner : Mr.R.Ramasubramaniam Raja

For Respondents:Mr.T.M.Pappiah

Special Government Pleader
(Registration) for R1

Mr.J.Ramesh

Additional Government Pleader
for R2 & R3

Mr.S.K.Gowtham Kumar for R5

O R D E R

The prayer sought for in this writ petition is for a mandamus, to direct the respondents 1 to 3 to conduct an enquiry and to release the document to the petitioner.

2.The case of the petitioner is that he is the absolute owner of the property situated at Panchakshipuram and Thandrai Village, Denkanikottai Taluk, Krishnagiri District. While so, he approached the third respondent to cancel the General Power of Attorney Document No.P-43/2016, which was fraudulently executed related to the property stated supra, however, the same was not considered by the third respondent. Hence, the petitioner is before this Court.

3. Heard the learned counsel for the respective parties and perused the records. The learned Additional Government Pleader appearing for the respondents 2 and 3 submitted that after due enquiry, the petitioner's claim would be considered by the authority concerned on merits and in accordance with law.

4. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court, without going into the merits of the case, directs the third respondent to conduct an enquiry and thereafter pass appropriate orders, on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner, fifth respondent as well as all the necessary parties, within a period of six weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

ms

To

1.The Inspector General of Registration,
Santhome High Road,
Mylapore, Chennai - 600 004.

2.The District Registrar (Admin),
Krishnagiri District,
Krishnagiri.

3.The Sub-Registrar,
Denkanikotai,
Krishnagiri District.

4.The Deputy Superintendent of Police,
Anti Land Grabbing Cell,
Office of Superintendent of Police,
Krishnagiri District.

+1cc to M/S.Ramasubramaniam Raja, Advocate Sr.58713

+1cc to the Government Pleader Sr.59759

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and
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srg 14/09/2018

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