

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.11.2018

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P. No.20329 of 2018

M.M.Sajitha Fathima

.. Petitioner

Vs.

1. The Inspector General of Registration,
100, Santhome High Road, Mylapore,
Chennai - 600028.
2. The Joint Sub Registrar-I
District Revenue Office,
Bharathi Salai, Triplicane,
Chennai.
3. The Sub Registrar,
2nd Street, Kazura Garden,
Neelangarai Sub Registration Office
Neelangarai, Kancheepuram District.
4. The Sub Registrar,
Perungulam,
Thoothukudi District.
5. M.M.Mohammed Ali.
6. M.M.Habibullah
7. Abdul Khader

.. Respondents

PRAYER : Writ Petitions filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent herein to consider the representation dated 31.05.2018 and enquire in to the alleged irregularities and defects committed by the 2nd, 3rd and 4th respondents by violating the relevant provisions of the Registration Act, 1908 and The Tamil Nadu Registration Rules, 1983 pertaining to the presentation, execution and registration of the Special Powers of Attorney dated 12.03.2018 registered as Document Nos.22, 23, 24, 25 and 26 of 2018 before the 2nd respondent and settlement deeds dated 12.03.2018 and 21.03.2018 registered as Document Nos.1611 of 2018, 1612 of 2018, 1613 of 2018, 1614 of 2018 and

245 of 2018 respectively before the 3rd and 4th respondents, and consequentially direct the 1st respondent to initiate appropriate action and dispose off the same.

For Petitioner : Mr.R.Abdul Mubben
For Respondents : 1. Mr.T.M.Pappiah
Special Government Pleader
for R1 to R4.
2. Mr.B.Dhanraj for R5 and R7
3. No appearance for R6

O R D E R

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

2. The petitioner has come up with this Writ Petition to direct the 1st respondent herein to consider the representation dated 31.05.2018 and enquire in to the alleged irregularities and defects committed by the 2nd, 3rd and 4th respondents by violating the relevant provisions of the Registration Act, 1908 and The Tamil Nadu Registration Rules, 1983 pertaining to the presentation, execution and registration of the Special Powers of Attorney dated 12.03.2018 registered as Document Nos.22, 23, 24, 25 and 26 of 2018 before the 2nd respondent and settlement deeds dated 12.03.2018 and 21.03.2018 registered as Document Nos.1611 of 2018, 1612 of 2018, 1613 of 2018, 1614 of 2018 and 245 of 2018 respectively before the 3rd and 4th respondents, and consequentially, direct the 1st respondent to initiate appropriate action and dispose off the same.

3. According to the learned counsel for the petitioner, the petitioner has submitted a representation dated 31.05.2018 relating to the fraudulent registration of Special Power of Attorney and Settlement Deeds contravening the procedure as stipulated in the Tamilnadu Registration Rules and Regulations Act, but, the same is yet to be disposed of by the first respondent. Hence, the petitioner is before this Court.

4. Heard Mr.T.M.Pappiah, learned Special Government Pleader, on behalf of the first respondent.

5. Considering the facts and circumstances of the cases and the submissions made on either side, this Court, without expressing any opinion on the merits of the representation, directs the first respondent to consider the petitioner's representation dated 31.05.2018 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner as well as the respondents 5 to 7 herein and also affording due opportunity of hearing to the petitioner, respondents 5 to 7 herein as well as any of the interested

parties, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

s/d-
Assistant Registrar (CS VI)

True Copy

Sub-Assistant Registrar

msv
To

1. The Inspector General of Registration,
100, Santhome High Road, Mylapore,
Chennai - 600028.
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Chennai.
3. The Sub Registrar,
2nd Street, Kazura Garden,
Neelangarai Sub Registration Office
Neelangarai, Kancheepuram District.
4. The Sub Registrar,
Perungulam,
Thoothukudi District.

+1 CC to Mr. R. Abdul Mubben, Advocate sr 81064.
+1 CC to Mr. B. Dhanraj, Advocate sr 81218
+1 CC to Govt. Pleader sr 81777.

W.P. No. 20329 of 2018

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RK (CO)
SP (19/12/2018)