

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.23792 of 2017
and
W.M.P.No.25011 of 2017

K.Senthilkumar

.. Petitioner

Vs.

1. The Inspector General of Registration,
Office of the Inspector General of Registration,
Fore Shore Estate,
Chennai - 600 041.
2. The District Registrar,
Office of the Registrar of Chennai,
Chennai.
3. The Sub-Registrar,
Office of the Sub Registrar,
Sembium,
Perambur,
Chennai - 600 011.
4. Branch Manager,
Bank of Baroda,
Kolathur Branch,
Kolathur,
Chennai.

5. D.Selvaraj

.. Respondents

Writ petition filed under Article 226 of the constitution of India to issue a writ of mandamus to direct the respondents 1 to 3 herein to initiate appropriate proceedings against the 5th respondents as provided under Section 82 and 83 of the Registration Act (Act 16 of 1908) for obtaining a forged and illegal deed registered as document No.1623/1996 dated 8.12.1995 before the 3rd respondent herein or in the alternative directing them to consider and disposal of the complaint given by the petitioner in his representation dated 15.10.2016.

For Petitioner : Mr.S.Kanniah
For Respondents : Mr.D.Suriyanarayanan
Additional Government Pleader
for R1 to R3
Mr.N.Jayabalan for R5
No appearance for R4

O R D E R

The petitioner seeks for a mandamus directing the respondents 1 to 3 to initiate appropriate proceedings against the 5th respondent as provided under Sections 82 and 83 of the Registration Act in respect of the release deed registered as document No. 1623/1996 dated 08.12.1995, based on his complaint given on 15.10.2016.

2. According to the petitioner, the petitioner's father who alleged to have executed such release deed was in fact, no more on the date of such execution and on the other hand, he died six months prior to such execution. Therefore, he contends that a fraud and impersonation have been played by the parties in getting the document executed and registered.

3. This Court is not expressing any view on the merits of the claim made by the petitioner as it is for the 2nd respondent to consider the grievance of the petitioner. Accordingly, the writ petition is disposed of by directing the 2nd respondent to pass orders on the representation of the petitioner 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 hearing the petitioner, the 5th respondent and other parties interested in the subject matter property, if any. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

vsi

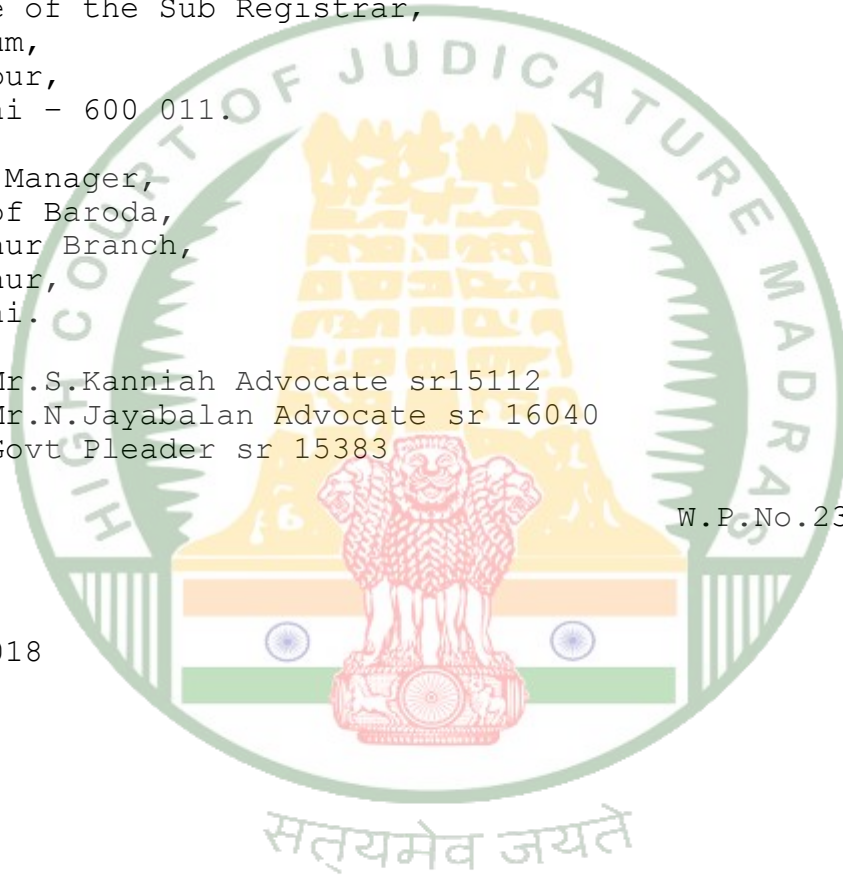
To

1. The Inspector General of Registration,
Office of the Inspector General of Registration,
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Chennai - 600 041.
2. The District Registrar,
Office of the Registrar of Chennai,
Chennai.
3. The Sub-Registrar,
Office of the Sub Registrar,
Sembium,
Perambur,
Chennai - 600 011.
4. Branch Manager,
Bank of Baroda,
Kolathur Branch,
Kolathur,
Chennai.

+1 cc to Mr.S.Kanniah Advocate srl5112
+1 cc to Mr.N.Jayabalan Advocate sr 16040
+1 cc to Govt Pleader sr 15383

W.P.No.23792 of 2017

kji(co)
aa02/03/2018



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