IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.501 of 2013

S.Vijayakumar .... Petitioner

Vs

1. The District Registrar
   Dharmapuri.
2. The Sub Registrar
   Barur, Krishnagiri District.
3. Chitra

.... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent herein to cancel the fraudulent sale deed dated 30.03.1995.

For Petitioner : Mr.M.Ravi
For Respondents : Mr.P.Purushothaman
Government Advocate - for R1 & R2
Mr.N.E.A.Dinesh - for R3

O R D E R

The relief sought for in this writ petition is for a direction to direct the first respondent to cancel the fraudulent sale deed dated 30.03.1995. The affidavit filed in support of the writ petition states that in respect of the property belongs to the petitioner, a fraudulent sale deed was executed in favour of the husband of the third respondent. Thus, the writ petitioner made an application to cancel the registration. On account theof inaction on the part of the respondents 1 and 2, the petitioner is constrained to file the present writ petition.

2. This court is of an opinion that in respect of the registration of fraudulent documents and its cancellation, the same shall be adjudicated before the District Registrar concerned by filing necessary documents and by adducing evidence. In this view of the matter, the writ petitioner is directed to approach the first respondent, District Registrar by

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filing appropriate application for the cancellation of any such fraudulent registration of document.

3. Accordingly, the petitioner is directed to file an application before the first respondent within a period of four weeks from the date of receipt of a copy of this order, and on receipt of such application from the petitioner, the first respondent shall adjudicate the same on merits and in accordance with law, by affording reasonable opportunity to all the parties concerned and pass final orders within a period of twelve weeks thereafter. With these directions, the writ petition is disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

1. The District Registrar
   Dharmapuri.

2. The Sub Registrar
   Barur, Krishnagiri District.

+1cc to Mr.V.Nicholas, Advocate, S.R.No.59586

+1cc to Mr.M.Ravi, Advocate, S.R.No.59909

+1cc to the Government Pleader, S.R.No.60608

W.P.No.501 of 2013

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