

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.12.2018

CORAM :

THE HON'BLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.14503 of 2018

and

W.M.P.No.17111 of 2018

1. Muthukumaran
2. Arunachalam

.. Petitioners

versus

1. The District Registrar,
Registration Department,
Tindivanam, Villupuram District.
2. The Sub Registrar,
Registration Department,
Tindivanam, Villupuram District.
3. E. Mangathal
4. E. Raji
5. M. Muniyammal
6. M.D.Muthu
7. Devi

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to consider and pass orders on merits by disposing the written representation made by the petitioner on 17.05.2018.

For Petitioners: Mr.C.Prakasam

For RR1 & 2 : Mr.T.M.Pappiah
Special Government Pleader

For RR3 to 7 : Mr.T.Saikrishnan

O R D E R

The writ petition has been filed for a direction to the first respondent to consider and pass orders on merits by disposing the written representation made by the petitioners on 17.05.2018.

2. It appears that the petitioners are the children of one Elumalai. The said Elumalai and his sister Kasiyammal sold the petition mentioned lands to one N.Balachandran. Subsequently, they purchased the said lands from the said Balachandran under valid Sale Deed. While so, one Mangathal, the first wife of the petitioners' father, her son and daughter, who are the respondents 3 to 5 herein, prepared forged documents and sold the petitioners' land to the fourth respondent and made encumbrance in their land, but either the alleged purchaser or Mangathal and her son and daughter never interfered with their peaceful possession during the life time of the petitioners' father. Therefore, they made a representation to the official respondents to remove forged encumbrance made in their lands.

3. Heard Mr.C.Prakasam, learned Counsel appearing on behalf of the petitioner and Mr.T.M.Pappiah, learned Special Government Pleader appearing for the respondents 1 & 2 and Mr.T.Saikrishnan, learned counsel appearing for the respondents 3 to 7.

4. The petitioners have not mentioned about the date of sale or date of purchase or any basic particulars required for any kind of enquiry. The representation sent by the petitioners is bereft of any material particulars. In the absence of the material particulars in the representation, it is not possible for the authorities to consider the said representation. Even otherwise the sale has been already registered and when forgery is alleged, it is for the petitioners to approach the appropriate Civil Court, if they are so advised to redress their grievance.

5. With the above observations, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

rsi

सत्यमेव जयते Sd/-

Assistant Registrar

//True Copy//

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Sub Assistant Registrar

To

1. The District Registrar,
Registration Department,
Tindivanam,
Villupuram District.

2. The Sub Registrar,
Registration Department,
Tindivanam, Villupuram District.

+1cc to Mr.T.Sai Krishnan, Advocate, S.R.No.82814
+1cc to Mr.C.Prakasam, Advocate, S.R.No.83050
+1cc To The Govt.Pleader, SR.NO..No.83615.

W.P.No.14503 of 2018
and
W.M.P.No.17111 of 2018

rk(co)
kak(27/12/2018)



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