

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2018

CORAM

THE HONOURABLE Mr.JUSTICE V.PARTHIBAN

W.P.No.12766 of 2012

S.Samuel Chelladurai

... Petitioner

Vs

- 1.The Inspector General of Registration,
Dr.DGS Dhinakaran Road,
Chennai-28.
 - 2.The District Registrar,
Office of the District Registrar,
Kancheepuram Registration District,
No.54, Nellukara Street, Kancheepuram 631 502.
 - 3.The IV Nee.Joint Sub Registrar,
Kancheepuram 631 502.
 - 4.The Tahsildar,
Kancheepuram.
- ... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, to direct the third respondent to cancel the registration of forged power of attorney in document No.371/2006 dated 01.08.2006 and to cancel the registration of forged sale deed in Document No.3439/2006 dated 18.08.2006 and to cancel the registration of forged mortgage deed in Document No.6465/2007 dated 31.08.2007 and dispose of the petitioner's representation dated 08.01.2007.

For Petitioner : Mr.S.Ilamvaludhi

For Respondents : Mr.T.M.Pappiah
Special Government Pleader

O R D E R

Heard Mr.S.Ilamvaludhi, learned counsel for the petitioner and Mr.T.M.Pappiah, learned Special Government Pleader appearing for the respondents.

2. The petitioner has approached this Court seeking the following relief,

"To issue a writ of Mandamus, to direct the third respondent to cancel the registration of forged power of attorney in document No.371/2006 dated 01.08.2006 and to cancel the registration of forged sale deed in Document No.3439/2006 dated 18.08.2006 and to cancel the registration of forged mortgage deed in Document No.6465/2007 dated 31.08.2007 and dispose of the petitioner's representation dated 08.01.2007."

3. The case of the petitioner is as follows:-

According to the petitioner, the power of attorney dated 01.08.2006 in Document No.371/2006, was a forged document and in pursuance of which, many transactions taken place in the form of sale deed, mortgage deed which are liable to be canceled as invalid and void.

4. In this connection, the petitioner has submitted a representation dated 08.01.2007 to the Superintendent of Police and marked the copies of the same to all the respondents who were arrayed as parties in the writ petition. However, inspite of the serious allegations of fraud and forgery, no action was taken by the authorities concerned. Therefore, the petitioner was constrained to approach this Court, seeking to issue a Writ of Mandamus as stated supra.

5. When the matter was taken up for hearing, the learned counsel for the petitioner would submit that the first respondent may be directed to look into the issue with regard to the allegations of the petitioner and take appropriate action by instructing his subordinate as he deems fit. The learned counsel would also submit that he would instruct the petitioner to submit a fresh representation in this regard, since earlier representation was of the year 2007 and more than 10 years have gone by.

6. At this, learned Special Government Pleader would have no objection, since the direction which is sought for in the writ petition is very limited in its scope.

7. In the above circumstances, this Court dispose of the writ petition with a direction to the petitioner to submit a detailed representation to the first respondent by marking copies to the other authorities concerned to look into the allegations of forgery, fraud in respect of certain transactions. The petitioner is directed to submit his representation within a period of one week from the date of receipt of a copy of the order. Thereafter, the first respondent shall take appropriate action on the representation as he deems fit in the facts and circumstances of the case and communicate his decision to the petitioner within a period of four weeks thereafter.

8. With the above direction, the writ petition is disposed of.
No costs.

Sd/-
ASST. REGISTRAR

/TRUE COPY/

SUB ASST. REGISTRAR

gsk

To

- 1.The Inspector General of Registration,
Dr.DGS Dhinakaran Road,
Chennai-28.
 - 2.The District Registrar,
Office of the District Registrar,
Kancheepuram Registration District,
No.54, Nellukara Street, Kancheepuram 631 502.
 - 3.The IV Nee.Joint Sub Registrar,
Kancheepuram 631 502.
 - 4.The Tahsildar,
Kancheepuram.
- +1 cc to Mr.S.Ilamvaludhi, Advocate SR.NO. 839
- +1 cc to the Government Pleader, High Court, Chennai SR.NO. 803

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BR(CO)
JK 19/02/18

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