

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 09-10-2018

CORAM
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.22066 of 2017

Mrs.Neela Chandrasekaran

.. Petitioner

..Vs..

1.The Sub-Registrar,
O/o.Sub-Registrar,
Kodambakkam,
Chennai.

2.Mr.C.S.Jagadeesan

3.Mrs.Kaushalya Emarose

4.Mr.C.S.Rajasekaran

5.Mrs.A.Kanchanamala

6.Dr.Arvind Chandrasekaran

7.Mrs.Aparna Chandrasekaran

.. 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 conduct the enquiry in view of the representation dated 7th November, 2016.

For Petitioner : Mr.Zaffarullah Khan

For Respondent-1 : Mr.P.P.Purushothaman,
Government Advocate.

For Respondents-2,3,6&7 : Mr.T.Dineshkumar

For Respondent-4 : No Appearance

For Respondent-5 : Mr.J.Manikandan

O R D E R

The grievance of the writ petitioner is that, at the instance of the fifth respondent, a fraudulent interpolation in the registration had been done in respect of certain documents and the properties belongs to the writ petitioner.

2. The learned counsel, appearing on behalf of the writ petitioner, states that in this regard, respondents 2 & 3 have made a requisition letter to the first respondent for initiation of an enquiry. However, the same is kept pending for the past more than two years.

3. The learned Government Advocate, appearing on behalf of the first respondent as well as the learned counsels appearing on behalf of respondents 2, 3, 5, 6 and 7, states that the District Registrar is competent to conduct enquiry in respect of such fraudulent interpolations in the Registrations.

4. This being the factum of the case, the writ petitioner is permitted to submit a complaint to the District Registrar (Central), Chennai, who in turn shall conduct an enquiry by affording reasonable opportunities to all the parties concerned and pass orders on merits and in accordance with law.

5. For conducting an enquiry, the Inspector General of Registration, Chennai-28 issued a Circular in Letter No.41530/U1/2017 dated 31.7.2018. Thus, with reference to the Circular issued by the Inspector General of Registration, the District Registrar (Central), Chennai is bound to conduct an enquiry in respect of the complaint to be filed by the writ petitioner and pass orders on merits and in accordance with law, by following the provisions of the Registration Act. The said exercise shall be done by the District Registrar (Central), Chennai, within a period of four months from the date of receipt of such complaint from the writ petitioner. The Registry of the High Court of Madras is directed to communicate the copy of this order to the District Registrar (Central), Chennai.

6. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

Svn

To

1.The Sub-Registrar,
O/o.Sub-Registrar,
Kodambakkam,Chennai.

2.The District Registrar (Central),
Chennai.

3.The Inspector General of Registration,
Santhome High Road,
Chennai -28.

+1cc to Mr.J.Manikandan, Advocate, S.R.No.69869
+1cc to Mr.Zaffarullah Khan, Advocate, S.R.No.70096
+1cc to the Government Pleader, S.R.No.70596

WP No.22066 of 2017

GP (CO)

rrs 01/11/2018



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