

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.01.2019

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.1053 of 2019

D.Vittobai

.. Petitioner

Vs.

1. The Inspector General of Registration,
O/o.The Inspector General of Registration,
Santhome, Chennai.

2. The District Registrar (Admin),
O/o.The District Registrar,
Arakkonam,
Vellore District

.. Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to pass orders on the petitioner's appeal petition dated 06.09.2018 submitted against the order passed by the second respondent dated 20.01.2018 in Letter No.3819/A2/2017.

For Petitioner : Mr.J.Shanmuga Sundara Babu

For Respondents : Mr.M.Thamizharasan
Government Advocate

O R D E R

The prayer sought for in this Writ Petition is for the issuance of a Writ of Mandamus to direct the first respondent to pass orders on the petitioner's appeal petition dated 06.09.2018 submitted against the order passed by the second respondent dated 20.01.2018 in Letter No.3819/A2/2017.

2. According to the learned counsel for the petitioner, the petitioner purchased the Punjai lands comprised in various survey Nos. from one C.Loganathan and three others on 15.10.2007, vide Document No.8172 of 2007, for which, Sale Receipt was also issued to the petitioner for the sale consideration. When the petitioner decided to sell the property in the year 2017, she came to know through Encumbrance Certificate that the said Loganathan had made a settlement on

26.02.2013 fraudulently to his son, namely, Shivasakthi in respect of the property, which was already sold in favour of the petitioner on 15.10.2007. Hence, the petitioner made a complaint before the District Registrar, by virtue of Circular No.67 issued by the Inspector General of Registration. The District Registrar passed an order dated 20.01.2018 on the complaint made by the petitioner without conducting proper enquiry, against which, the petitioner filed an appeal petition before the Inspector General of Registration and the same is still pending. Hence, the petitioner has filed this Writ Petition for the relief stated supra.

3. Heard Mr.M.Thamizharasan, learned Government Advocate on behalf of the respondents.

4. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the case, directs the first respondent to consider the petitioner's appeal petition dated 06.09.2018 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner and the persons interested in this regard and also affording them an opportunity of personal hearing, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above directions, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Srn
To

1. The Inspector General of Registration,
O/o.The Inspector General of Registration,
Santhome, Chennai.

2. The District Registrar(Admin),
O/o.The District Registrar,
Arakkonam, Vellore District

+1 cc to Mr.J.Shanmugasundaram, Advocate, S.R.No.3856

+1 cc to the Government Pleader, S.R.No.5084

W.P.No.1053 of 2019

VD(CO)
SSM(19/02/2019)