

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 02.01.2019
CORAM:
THE HON'BLE MR.JUSTICE V.BHARATHIDASAN
W.P.No.23290 of 2014
and
M.P.No.1 of 2014

K.Ramesh

... Petitioner

Vs.

The District Registrar,
North Chennai Registration District,
Rajaji Salai,
Chennai -1

... Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a writ of MANDAMUS, directing the respondent to consider and pass orders on merits by disposing the written representation made by the petitioner on 02.07.2014 within a stipulated time as this Court fixes.

For Petitioner : Mr.C.Prakasam

For Respondent : Mr.T.M.Pappiah

Special Government pleader

O R D E R

This writ petition has been filed seeking direction to the respondent to consider the petitioner's representation dated 02.07.2014 and pass orders.

2. According to the petitioner, one M.Geethalaksmi is the sister of the petitioner, who is the original owner of the property in survey No.603/2, and she executed a settlement deed in favour of the petitioner and his brother one K.Ramamoorthy on 11.10.2013 at Sub Registrar Office, Redhills. Thereafter, one Kamaraj prepared a forged document in respect of the above said property and executed the sale deed in favour of his son on 10.07.2013 at Sub Registrar Office, Redhills and after coming to know about the said forgery, the petitioner made a representation to the respondent on 02.07.2014 to conduct enquiry. But, so far no enquiry was conducted. Hence, the writ petition has been filed.

3.The learned Special Government Pleader appearing for the respondent relying upon the circular issued by the Inspector General of Registration in letter No.41530/U1/2017 dated 31.07.2018 and submitted that the Sub Registrar has power to conduct enquiry in respect of the any alleged forged transaction and also conducted suitable enquiry. But the reason has known to the respondent, no enquiry was conducted so far.

4.The learned counsel appearing for the petitioner submitted that the petitioner approach the respondent with relevant document and the respondent will be conducted enquiry and pass suitable orders.

5.Considering the above said submission and also the facts and circumstances of the case, without going into merits of the case, the respondent is directed to consider the petitioner's representation dated 02.07.2014 and conducted enquiry after giving notice to the petitioner and other rival claimants and pass suitable orders on merits in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order. The petitioner also directed to submit a relevant document to establish the title over the property before the respondent.

6.With the above directions, this writ petition is disposed of. No costs. Consequently, connected M.P. is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To
The District Registrar,
North Chennai Registration District,
Rajaji Salai,
Chennai -1

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GSP (08/02/2019)