

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 18.11.2019

CORAM:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Writ Petition No.29658 of 2019

A.Aftab Begum

... Petitioner

Versus

1. The Inspector General of Registration,
No.100, Santhome High Road,
Mylapore, Chennai-600 028.
2. The Sub-Registrar,
Office of the Sub-Registrar,
M.G.Road, Hamumanthapuram,
Anna Nagar, Hosur,
Krishnagiri District - 635 109.
3. Mr.Dadabai
4. Mr.Mohammed Jan
5. Mrs.Ameena Bi
6. Mr.K.Anwar Basha ... Respondents

PRAYER:-Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first and second respondents to consider the representation of the petitioner vide Letter No.2181/2013/A5 dated 30.07.2019 and conduct enquiry and initiate Criminal Prosecution under Section 83 of the Registration Act against respondents 3 to 6 consequentially, cancel the forged Settlement Deeds obtained by the respondents No.3 to 5 vide Document No.12178 of 2011 dated 29.08.2011, Document No.12081 of 2011 dated 29.08.2011 and Document No.12179 of 2011 dated 29.08.2011 on the file of the 2nd respondent within a time frame as stipulated by this Court.

For Petitioner ..	Ms.M.Ezhilarasi
For R1 and R2 ..	Mr.M.Thamizharasan, Govt. Advocate
For R3&R4 ..	Mr.G.Sankaran
For R5&R6 ..	No appearance

O R D E R

This Writ Petition is filed, to direct the first and second respondents to consider the representation of the petitioner vide Letter No.2181/2013/A5 dated 30.07.2019 and conduct enquiry and initiate Criminal Prosecution under Section 83 of the Registration Act against respondents 3 to 6 consequentially, cancel the forged Settlement Deeds obtained by the respondents No.3 to 5 vide Document No.12178 of 2011 dated 29.08.2011, Document No.12081 of 2011 dated 29.08.2011 and Document No.12179 of 2011 dated 29.08.2011 on the file of the 2nd respondent.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

3. It is represented that the fourth respondent being a document writer has created forged deeds in favour of his family members and thereafter, settlement deed has been executed by the sixth respondent in favour of the fifth respondent. The complaint regarding fraudulent registration of the Settlement Deeds was given to the first and second respondent to enquiry the matter and initiate criminal prosecution as per Section 83 of the Registration Act.

4. The grievance of the petitioner is that the representation given to the above said effect on 30.07.2019 has not been acted upon by the first and second respondent.

5. The learned Additional Government Pleader appearing for the second respondent submitted that pursuant to the complaint given by the petitioner herein, enquiry initiated and the parties were summoned to appear before the District Registrar on 15.11.2019 along with the original documents in support of their claim.

6. It is stated that the petitioner appeared before the District Registrar and submitted documents. Whereas, the private respondents have not turned up for enquiry. Hence, the enquiry is posted to 29.11.2019.

7. In the above circumstances, the ***District Registrar** is directed to complete the enquiry within a period of eight weeks and pass appropriate orders after affording opportunities to all the parties concerned.

8. With the above direction, this Writ Petition is disposed of. No costs.

-s/d-
Assistant Registrar

***Corrected as per order
dt 14/02/2020 made in
WP.No.29658 of 2019
-s/d-
Assistant Registrar(CSI)
dt 17/02/2020**

True Copy

Sub-Assistant Registrar

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To

1. The Inspector General of Registration, No.100, Santhome High Road, Mylapore, Chennai-600 028. / To be substituted the order already despatched on 17.12.2019
 2. The Sub-Registrar, Office of the Sub-Registrar, M.G.Road, Hamumanthapuram, Anna Nagar, Hosur, Krishnagiri District - 635 109.
- +1 cc to M/s.M.Ezhilarasi Advocate sr*12472
+1 cc to the Government Pleader sr96080
+1 cc to Mr.G.Sankaran Advocate sr95992

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aa05/12/2019
aa18/02/2020

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