

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 20.12.2019
CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. No.15124 of 2017

A.Somakailasam

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Petitioner

Vs

1. The District Registrar,
Office of the District Registrar,
Chennai South,
Chennai - 15.

2. The Sub-Registrar of Tambaram,
Office of the sub-Registrar,
Tambaram.

3. The Inspector General of Registration,
Santhome High Road,
Chennai - 600 028.

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Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to remove the fraudulent encumbrance entries and further directing the first respondent to consider my complaint dated 01.03.2017 and to conduct an enquiry and dispose of the same in accordance with law.

For petitioner : Mr.P.Raja

For respondents : Mr.P.P.Purushothaman,
Government Advocate
for Registration

ORDER

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This Writ Petition has been filed seeking for a Mandamus to direct the second respondent to remove the fraudulent encumbrance entries and to direct the first respondent to consider the petitioner's complaint dated 01.03.2017 and to conduct an enquiry and dispose of the same.

2.It is the case of the petitioner that he owns an agricultural land measuring an extent of Acres 0.50 cents in S.No.383/1A, in Tambaram Village, Kanchipuram District, having purchased the same from one N.Balagurumurthi Chettiar under a sale deed dated 26.08.1988 and registered as Document No.214/1989 on the file of the Sub-Registrar, Tambaram. It is the case of the petitioner that some one has impersonated his signature and forged documents have been created on various dates. Hence, he sent a representation, to the President, Tamil Nadu Registration Department, Chennai - 600 004 on 01.03.2017. But the said representation has not been considered by the concerned authority. Hence this writ petition has been filed by the petitioner seeking for a Mandamus.

3.The learned counsel for the petitioner drew the attention of this Court to a Circular in Letter No.41530/U1/2017, dated 31.07.2018, issued by the office of the Inspector General of Registration, Chennai - 28. As seen from the Circular, the procedures to be adopted whenever a complaint has been lodged for impersonation of a signature as well as for creation of forged documents have been formulated.

4.According to the learned counsel for the petitioner, the petitioner will be satisfied if the procedures contemplated under the aforesaid Circular is followed by the respondents while investigating the complaint given by the petitioner.

5.The learned Government Advocate appearing for the respondents, on instructions also submits that the respondents are willing to investigate the complaint lodged by the petitioner regarding the alleged impersonation and creation of forged documents by following the procedure as contemplated under the aforesaid Circular, dated 31.07.2018.

6.Recording the submissions of the learned counsel for the petitioner as well as the submissions of the learned Government Advocate appearing for the respondents, this Court directs the first respondent to investigate the complaint given with regard to the alleged impersonation and creation of forged documents in accordance with the procedure prescribed under the Circular letter No.No.41530/U1/2017, dated 31.07.2018, issued by the Office of the Inspector General of Registration, Chennai - 28. The respondents after investigation are directed to furnish a copy of the investigation report to the petitioner within three months from the date of receipt of a copy of this order. It is made clear that the respondents shall afford personal hearing to the petitioner as well as other affected parties before preparation of the final report.

7.With the aforesaid directions, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

vsi2

To

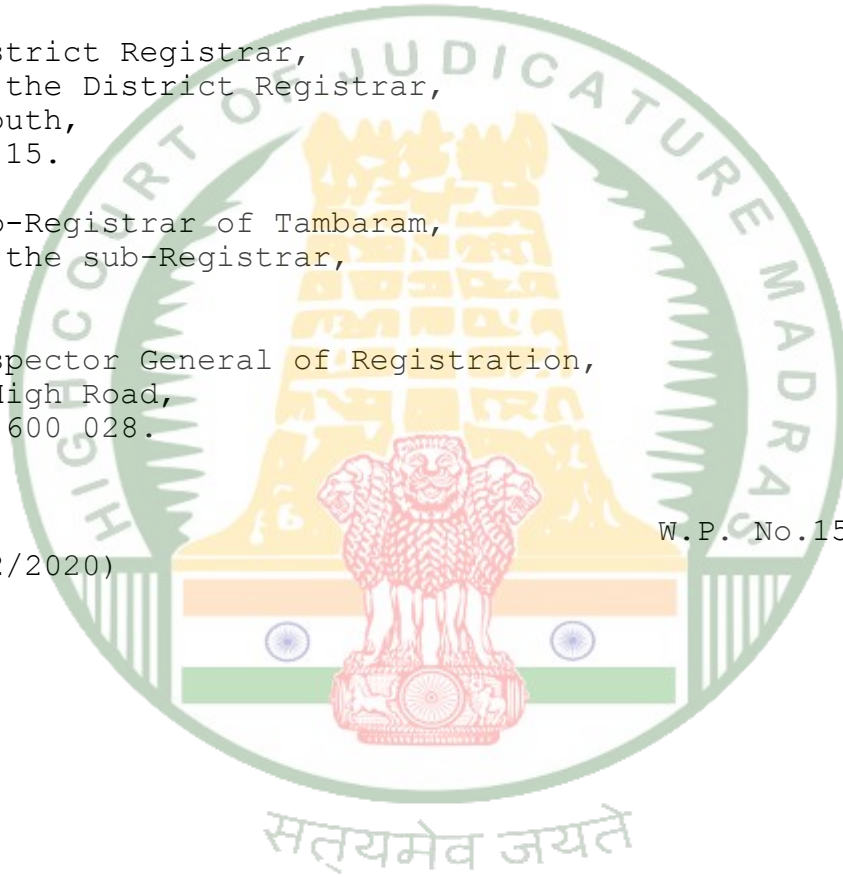
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A.SK(04/02/2020)

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