

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 25.03.2019

CORAM :
THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. No.28770 of 2017
and
W.M.P. No.30945 of 2017

BeralaChalapathy

... Petitioner

Vs.

1.The Inspector General of Registrar, (I.G.)
Santhome High Road, Mylapore,
Chennai - 600 004.

2.The District Registrar Officer,
District Register Office,
Royapettah High Road,
Chennai - 14.

3.The Sub Registrar Officer, Konnur,
Sub Register Office,
CTH High Road,
Villivakkam,
Chennai - 600 049.

4.Minor Berala DineshSanjaj
Represented by Guardian B.Renuka Devi

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondent Nos.1 to 3 to hold enquiry with respondent No.4 on the fraudulent document No.2623 of 2017 dated 09.06.2017, registered before the respondent No.3 and consequently directing the respondent No.1 to 3 to cancel fraudulent document No.2623 of 2017 as per Registration Act.

For Petitioner : M/s.D.Uvarani

For Respondents : Mr.T.M.Pappaiah
Special Government Pleader
for R1 to R3

: Ms.V.Anuradha for R4

O R D E R

The limited prayer in this writ petition is for disposal of written representation dated 25.10.2017 addressed to the first three respondents seeking their intervention with regard to the property at S.No.228/3, Part No.78-Phase I, LIG-15th Cross, 8th Main, 1st Floor, Nolambur, Chennai.

2.The case of the petitioner is that the aforesaid property belongs absolutely to him and has been purchased by him from and out of his earnings. He is in possession of the property from the year 1988 till date with his family. The petitioner as well as his wife, who are residing in the property, are senior citizens aged 90 and 80 respectively at the time of institution of the writ petition. He alleges that he had been forcibly taken to the Sub Registrar's Office, Konnur under the pretext that his Will was to be registered and that his son had forcibly obtained his signature in settlement deed settling the property on the 4th respondent. According to him, the said settlement deed has been executed fraudulently and by force and is liable to be cancelled immediately. These are the brief contents of the representation dated 25.10.2017 before the authorities.

3.Mr.T.M.Pappaiah, learned Special Government Pleader, appearing for the respondents 1 to 3 states that notice would be issued to the petitioner, the 4th respondent as well as to all other interested parties and appropriate orders will be passed thereafter.

4.In the light of the above, the writ petition is disposed of directing the 2nd respondent, viz. the District Registrar Officer, District Registration Office, Royapettah High Road, Chennai, to call upon the petitioner as well as all other concerned and interested parties by issue of notice, hear them and pass appropriate orders in accordance with law within four weeks from today. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

mkn

To

1.The Inspector General of Registrar (I.G.)
Santhome High Road, Mylapore,
Chennai - 600 004.

2.The District Registrar Officer,
District Register Office,
Royapettah High Road,
Chennai - 14.

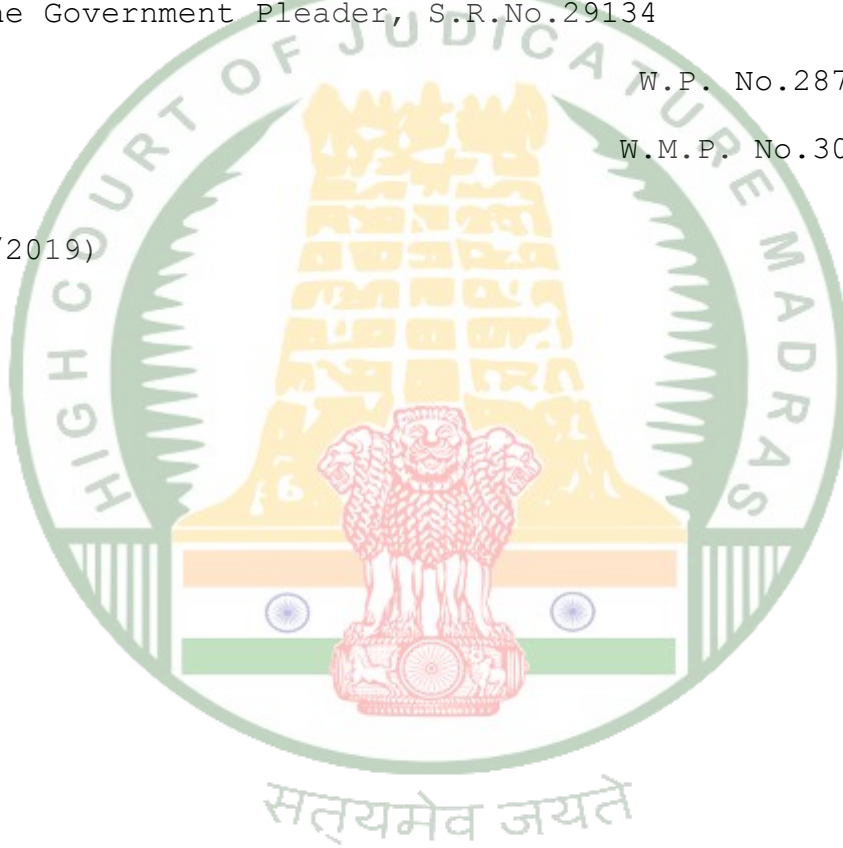
3.The Sub Registrar Officer, Konnur,
Sub Register Office,
CTH High Road,
Villivakkam,
Chennai - 600 049.

+2ccs to Mr.D.Uvarani, Advocate, S.R.No.27912
+1cc to the Government Pleader, S.R.No.29134

W.P. No.28770 of 2017
and
W.M.P. No.30945 of 2017

MG(CO)

RRS (07/05/2019)



WEB COPY