

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 13.06.2019****CORAM:****THE HONOURABLE MR.JUSTICE R.SURESH KUMAR****W.P. (MD) .No.13274 of 2019**

I.Gnanamani

... Petitioner

-Vs-

1. The District Registrar,
District Registrar Office,
Velu Nachiyar Complex,
Dindigul, Dindigul District.

2. The Sub-Registrar,
Registrar Office,
Aathur, Dindigul District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 03.01.2019 in connection with the Registration of document Nos.68/2018 and 101/2018 dated 22.01.2018 before the second respondent.

For Petitioner
For Respondents

: Mr.S.Sarvagan Prabhu
: Mr.M.Murugan,
Government Advocate.

ORDER

The prayer sought for in this Writ Petition is for a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 03.01.2019 in connection with the Registration of document Nos.68/2018 and 101/2018 dated 22.01.2018 before the second respondent.

2.Heard Mr.S.Sarvagan Prabhu, learned counsel appearing for the petitioner and Mr.M.Murugan, learned Government Advocate, who accepts notice on behalf of the respondents.

3.By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

4.The grievance of the petitioner is that, in respect of his land, which stands in his name, one third party seems to have sold the same fraudulently to some third party and in this regard,



the petitioner wanted to conduct an enquiry and hence, he made a representation to the respondents on 03.01.2019.

5. The learned counsel appearing for the petitioner submits that, the petitioner is now confined with his prayer only in respect of conducting an enquiry on such alleged fraudulent transaction of the land belongs to the petitioner by the respondents and if his representation in this regard dated 03.01.2019 is directed to be considered and an enquiry is to be conducted within a time frame to be stipulated by this Court, the petitioner would be satisfied.

6. I have heard Mr. M. Murugan, learned Government Advocate appearing for the respondents, who would submit that, as far as conducting an enquiry is concerned, the respondents would do the same, based on the representation of the petitioner and with regard to the cancellation of the sale deed, the respondents do not have power. For that purpose, the petitioner has to approach the competent Civil Court.

7. Since the petitioner himself is confined with his prayer on conducting enquiry on the alleged fraudulent transaction, the question of cancelling the sale deed at the hands of the respondents may not arise. In that view of the matter, this Court is inclined to pass the following order:-

"that the first respondent is hereby directed to consider the representation of the petitioner dated 03.01.2019 and conduct an enquiry, as has been sought for thereon with regard to the alleged fraudulent transaction on the land belongs to the petitioner and pass necessary orders thereon, within a period of twelve (12) weeks from the date of receipt of a copy of this order."

8. With this direction, this Writ Petition stands disposed of. No costs.

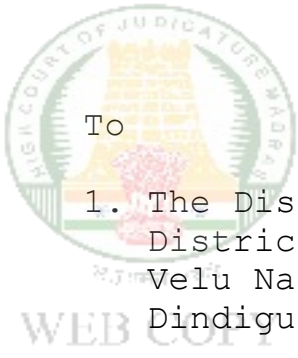
Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar (CS)

Myr



To

1. The District Registrar,
District Registrar Office,
Velu Nachiyar Complex,
Dindigul, Dindigul District.

2. The Sub-Registrar,
Registrar Office,
Aathur, Dindigul District.

+1cc to M/S.S.SARVAGAN PRABHU, Advocate, Sr.No.68516

+1CC to M/S.SPECIAL GOVERNMENT PLEADER, Sr.No.69242

W.P. (MD) No.13274 of 2019
13.06.2019

BUC (CS) (21/06/2019) 3P/5C