



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2019

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.16019 of 2019

K.Baskar

... Petitioner

-Vs-

1.The District Registrar,
Madurai South,
Mahal Road, Madurai - 625 001.

2.The Sub Registrar,
Thirumangalam Sub Registrar Office,
Thirumangalam,
Madurai District.

3.D.Santhakumar

4.M.Valli

... Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, to direct the 1st Respondent to conduct thorough enquiry and thereby annul the sale deed executed by the 3rd Respondent in favour of 4th respondent in Document No.5282/2018 dated 21-08-2018 and further take appropriate criminal action against the 3rd and 4th respondents for their fraudulent act of execution of sale deed in respect of the petitioner's property situated in Survey No.18/2 Old No.11, New No.25 Bharathiar street, Thirumangalam Town, Madurai District by considering the representation given by the petitioner dated 15-06-2019 within the period stipulated by this Court.

For Petitioner : Mr.N.Sathish Babu

For Respondents : Mr.V.Anand, G.A. For RR1 and 2

ORDER

The prayer in this writ petition is for a Writ of Mandamus, to direct the 1st Respondent to conduct thorough enquiry and thereby annul the sale deed executed by the 3rd Respondent in favour of 4th respondent in Document No.5282/2018 dated 21-08-2018 and further take appropriate criminal action against the 3rd and 4th respondents for their fraudulent act of execution of sale deed in respect of the petitioner's property situated in Survey No.18/2 Old No.11, New No.25 Bharathiar Street, Thirumangalam Town, Madurai District by considering the representation given by the petitioner dated 15-06-2019 within the period stipulated by this Court.



2. Heard Mr.N.Sathish Babu, learned counsel appearing for the petitioner and Mr.V.Anand, learned Government Advocate appearing for the respondents 1 and 2. Since no adverse order is going to be passed against the respondents 3 and 4, notice to them is dispensed with.

3. With the consent of both sides, this writ petition is disposed of at the admission stage itself.

4. In respect of the document No.5282 of 2018 dated 21.08.2018 executed by the 3rd respondent in favour of 4th respondent, the petitioner sought for enquiry and accordingly, he filed a representation on 15.06.2019 to the 1st respondent, before whom, the said representation is still pending. Therefore, the learned counsel appearing for the petitioner submits that, if the said representation is decided by conducting an enquiry by the 1st respondent and an order to that effect is passed within a time frame, the petitioner would be satisfied.

5. I have heard the learned Government Advocate appearing for the official respondents, who would submit that, the said representation of the petitioner, seeking for enquiry only for the limited purpose of having an enquiry with the petitioner as well as the private respondents, would be considered and decided on merits within a time frame.

6. Considering the limited scope of the prayer sought for in this writ petition, this Court is inclined to dispose of this writ petition with the following direction:

"The 1st respondent is hereby directed to consider the representation of the petitioner dated 15.06.2019 and if need be, conduct an enquiry with the petitioner as well as the respondents 3 and 4 by giving notice to them and thereupon, decide the said request made by the petitioner on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order."

7. With this direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //



Arul

To

1.The District Registrar,
Madurai South,
Mahal Road, Madurai - 625 001.

2.The Sub Registrar,
Thirumangalam Sub Registrar Office,
Thirumangalam,
Madurai District.

+1 CC to M/s.N.SATHISH BABU, Advocate (SR-76532[F] dated
22/07/2019)

+1 CC to M/s.SPL GP (SR-76615[F] dated 22/07/2019)

Order made in
W.P.(MD)No.16019 of 2019

Dated:
19.07.2019

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