

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :08.01.2020

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.1066 of 2015

A.Abdul Lathif ... Petitioner

Vs

- 1.The Inspector General of Registration,  
100, Santhome High Road,  
Chennai-28.
2. The District Registrar, O/o District Registrar  
Registration Department,  
North Chennai,  
Chennai-600 001.
3. The Joint Sub Registrar No.1,  
District Registrar's Office,  
North Chennai  
Chennai-600 001.
4. M.S.Kadar Hasan Maricar
5. O.Ameerudeen Maricar
6. O.Mahjabeen @ Syed Joharagani Nachial
7. Shameem @ K.Umma Hanima

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking for an issuance of a writ of Mandamus directing the second respondent to conduct an enquiry as per the Circular No.67, dated 03.11.2011 issued by the first respondent to cancel the fraudulent documents 1.Settlement deed dated 15.06.2009 - Doc. No.171 of 2009, 2.Settlement deed dated 07.10.2009 - Doc. No.309 of 2009, 3.Settlement Deed dated 05.01.2010 - Doc. No.3 of 2010, 4.Sale deed dated 09.03.2011 - Doc. No.83 of 2011 registered on the file of the 3<sup>rd</sup> respondent by considering the petitioner's representation dated 17.11.2014.

For Petitioner :Mr.N.Manokaran

For Respondents:Mr.Mr.P.P.Purushothaman For R1 to R3  
Government Advocate (Registration)  
No appearance - For R4 and R7  
Not ready in Notice reg.R5, R6

O R D E R

This Writ Petition has been filed for a mandamus to consider the representation dated 17.11.2014 seeking for a direction to the second respondent to conduct an enquiry as per the circular No. 67, dated 03.11.2011 issued by the first respondent to cancel the fraudulent documents,

- 1.Settlement deed dated 15.06.2009 - Doc. No.171 of 2009,
- 2.Settlement deed dated 07.10.2009 - Doc. No.309 of 2009,
- 3.Settlement Deed dated 05.01.2010 - Doc. No.3 of 2010, and
- 4.Sale deed dated 09.03.2011 - Doc. No.63 of 2011  
registered on the file of the 3<sup>rd</sup> respondent.

2. It is the case of the petitioner that the aforesaid documents are fraudulent documents and the petitioner's signature has been impersonated. Therefore, he has given a representation to the second respondent dated 17.11.2014, requesting to conduct an enquiry relating to the aforementioned documents. Since the representation has not been considered, this writ petition has been filed.

3. Heard Mr.N.Manoharan, learned counsel for the petitioner and Mr.P.P.Purushothaman, learned Government Advocate (Registration) appearing for the respondents 1 to 3. There is no appearance on behalf of the respondents 4 to 7.

4. It is represented by the learned Government Advocate (Registration) for the respondents 1 to 3 that the circular No.67, dated 03.11.2011, issued by the first respondent, has been repealed and in its place a new circular has been issued by the Office of the Inspector General of Registration, vide a letter No.41530/U1/2017, dated 31.07.2018.

5. The learned counsel for the petitioner is satisfied if the second respondent conducts an enquiry with regard to the above mentioned documents in accordance with the new circular referred to Supra. Accordingly, this court is also inclined to grant such an order. Accordingly, as no prejudice will be caused to any of the respondents, this Courts directs the second respondent to conduct an enquiry with regard to the documents viz., 1.Settlement deed dated 15.06.2009 - Doc. No.171 of 2009,

2.Settlement deed dated 07.10.2009 - Doc. No.309 of 2009,  
3.Settlement Deed dated 05.01.2010 - Doc. No.3 of 2010, and  
4.Sale deed dated 09.03.2011 - Doc. No.63 of 2011, which are  
alleged to be fraudulent and complete the enquiry in accordance  
with the circular of the Inspector General of Registration,  
dated 31.07.2018 vide letter No.41530/U1/2017 within a period of  
three months from the date of receipt of a copy of this order.  
On completion of the enquiry, the second respondent shall also  
furnish the copy of the enquiry report to the petitioner.

6. It is also made clear that the second respondent shall  
conduct the enquiry by providing sufficient opportunities to the  
necessary parties for the effective adjudication of the  
representation made by the petitioner.

7. With the aforesaid directions, the Writ Petition is  
disposed of. No cost.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The Inspector General of Registration,  
100, Santhome High Road,  
Chennai-28.
2. The District Registrar, O/C District Registrar,  
Registration Department,  
North Chennai,  
Chennai-600 001.
3. The Joint Sub Registrar No.1,  
District Registrar's Office,  
North Chennai  
Chennai-600 001.

+1cc to Mr.N.Manokaran, Advocate Sr.2172  
+1cc to the Government Pleader Sr.2743

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pm[co]  
srg 13/02/2020