

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 02.09.2020

CORAM
THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.11634 of 2020
and
W.M.P.No. 14265 of 2020

1 A.Anitha
2 J.Arulchandran
3 R.Joseph Amala Bosco ...Petitioners

Vs

1 The Deputy Inspector General of Registration,
Registrar Office,
6/1, GRD Road,
Opp. to Air force Admin College,
Red Fields, Coimbatore- 641 018.

2 The Sub Registrar,
Singanallur Sub Registrar Office,
Coimbatore.

3 Selvakumar,
Sub Registrar,
Singanallur Sub Registrar Office,
Coimbatore.

4 The District Collector,
Coimbatore District Collectors Office,
Coimbatore-641 018.

5 The Inspector of Police,
D1 Police Station,
Ramanathapuram, Coimbatore.

6 J.Caroline
...Respondents

This Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the 1st and 2nd respondents to immediately take action under Sec.83 of the Registration Act against the 6th respondent on the basis of the petitioners' complaint dated 23.06.2020.

For Petitioner : Mr.S.Venkatesh
For Respondents 1 to 3 : Mr.T.M.Pappiah
Special Government Pleader
For Respondents 4 & 5 : Mr.M.Mani Gopi
Government Advocate

ORDER

This Writ Petition has been filed for a direction to the 1st and 2nd respondents to immediately take action against the 6th respondent on the basis of the petitioners' complaint dated 23.06.2020, under Section 83 of the Registration Act.

2. The case of the petitioners is that they are innocent purchasers who believed the words of the 6th respondent and purchased the property and later found that the 6th respondent had induced all the innocent purchasers by giving false promises and misappropriated several Crores of Rupees. When it was questioned by the petitioner, it is stated that respondents 9 to 11 threatened and manhandled all the innocent purchasers. A Police Complaint has also been given in this regard and the same is pending investigation.

3. The petitioners have given a complaint to the first and second respondents requesting to conduct an enquiry under Sections 82 and 83 of the Registration Act and take action against the 6th respondent. The grievance of the petitioners is that the first and second respondents did not act upon the complaint and left with no other alternative, the present Writ Petition has been filed before this Court.

4. Mr.T.M.Pappiah, learned Special Government Pleader, who took notice on behalf of the respondents 1 to 3 submitted that the enquiry can be conducted by the Sub-Registrar, since he is vested with powers under Section 83 of the Registration Act. The learned Special Government Pleader further submitted that the petitioners can be directed to give a fresh complaint before

the Sub-Registrar (second respondent) along with all the particulars and the same will be considered in accordance with law. He further submitted that the earlier representation / complaint can also be annexed along with the fresh representation.

5. This Court carefully considered the submissions made on either side and materials available on record.

6. Taking into consideration, the facts and circumstances of the case and without going into the merits of the case, there shall be a direction to the petitioners to submit a fresh complaint to the Sub-Registrar (second respondent) along with a copy of the earlier complaint accompanied by all necessary documents. The second respondent on receipt of the complaint, shall deal with the same strictly in accordance with law. The second respondent shall issue notice to the 6th respondent before proceeding further with the enquiry and passing the final orders. This exercise shall be completed within a period of twelve weeks from the date of receipt of copy of this order.

7. This Writ Petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1 The Deputy Inspector General of Registration,
Registrar Office,
6/1, GRD Road,
Opp. to Air force Admin College,
Red Fields, Coimbatore- 641 018.

2 The Sub Registrar,
Singanallur Sub Registrar Office,
Coimbatore.

3 The District Collector,
Coimbatore District Collectors Office,
Coimbatore.

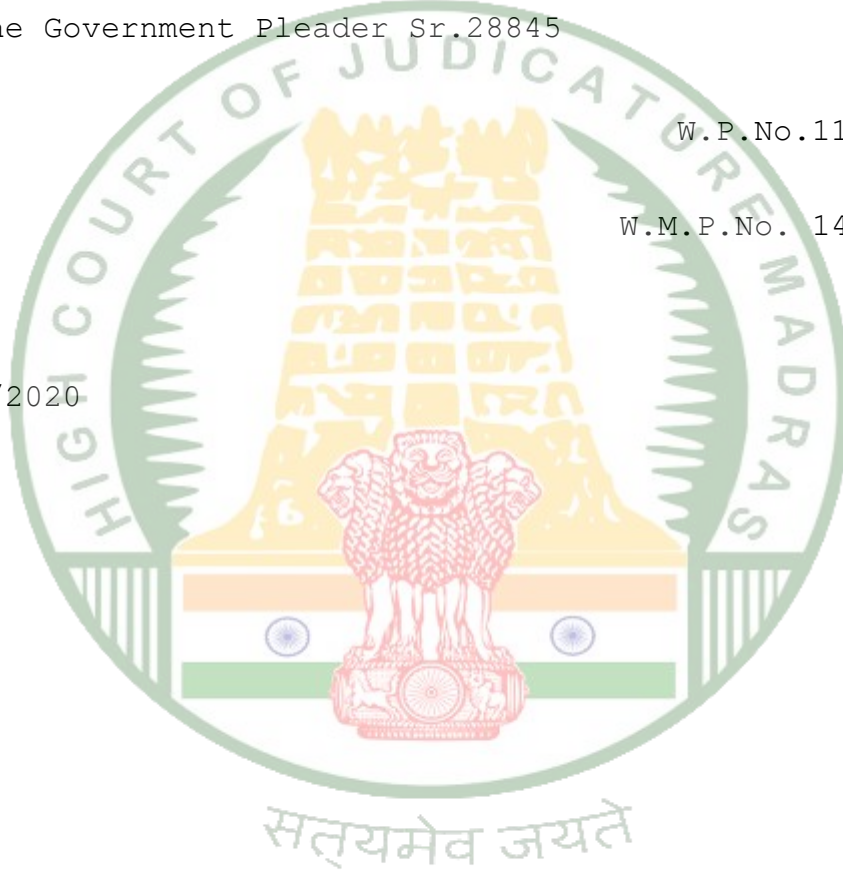
4 The Inspector of Police,
D1 Police Station,
Ramanathapuram, Coimbatore.

+1cc to Mr.S.Venkatesh, Advocate Sr.28600

+1cc to the Government Pleader Sr.28845

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