

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.09.2020

CORAM

THE HONOURABLE THIRU JUSTICE N.ANAND VENKATESH

W.P.No.12219 of 2020

Rajendiran.

.. Petitioner

versus

1.The Inspector General of Registration,
Santhome, Chennai.

2.The District Registrar,
Tiruvannamalai,
Tiruvannamalai District.

3.The Joint Sub Registrar-II,
Tiruvannamalai,
Tiruvannamalai District.

4.Thanjiyammal,
W/o.Munusamy,
Nadu Street,
Thurkainamiyandal Village,
Vengikal Post,
Thiruvannamalai.

5.Subramani,
S/o.Munusamy,
114, Middle Street,
Durgai Nammiyandal Village,
Vengikkal Post,
Thiruvannamalai 606 602.

6.Sumathi,
D/o.Munusamy,
5C Palla Street,
Vengikkal Post,
Durgai Nammiyandal Village,
Thiruvannamalai 606 602.

7.Perumal,
S/o.Munusamy,
11, Middle Street,
Durgai Nammiyandal Village,
Vengikkal Post,
Thiruvannamalai 606 602.

8.Suguna,
W/o.Vediappean,
461, Othavada Street,
Pallikondapet Village,
Tiruvannamalai Taluk and District.

.. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents 1 to 3 to consider the representation of the petitioner dated 14.08.2020 and initiate prosecution against the respondents 4 to 8 and the persons responsible for the fraudulent and illegal execution of the settlement deed dated 10.03.2020 and the sale deed dated 04.06.2020.

For Petitioner : Mr.R.Rajarajan

For Respondents: Mr.T.M.Pappiah, SGP for R1 to R3

ORDER

On the consent given by either side, the main writ petition itself has been taken up for final hearing.

2. This writ petition has been filed for the issuance of writ of mandamus directing the respondents 1 to 3 to consider the representation made by the petitioner on 14.08.2020, to conduct enquiry against the respondents 4 to 8 under Sections 82 and 83 of the Registration Act.

3. The case of the petitioner is that he is the absolute owner of the subject property and the respondents 4 to 8 have created certain documents without any right or authority over the property and also attempted to encroach upon the property by virtue of these documents. The petitioner made a complaint in this regard to the respondents 1 to 3 on 14.08.2020, along with all the relevant documents and requested them to take action under Section 82 and 83 of the Registration Act. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate directions.

4. Heard the learned counsel for the petitioner and Mr.T.M.Pappiah, learned Special Government Pleader appearing for the respondents 1 to 3.

5. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the third respondent to consider the representation made by the petitioner on 14.08.2020 and deal with the same strictly in accordance with law. The third respondent shall issue appropriate notice to the respondents 4 to 8, before conducting the enquiry and passing

final orders. The third respondent shall pass final orders within a period of eight weeks from the date of receipt of a copy of this order.

6. The petitioner is directed to make a fresh representation to the third respondent along with the copy of the representation dated 14.08.2020, with all the relevant documents and also with the copy of this order.

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

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

gsk

To

- 1.The Inspector General of Registration,
Santhome, Chennai.
- 2.The District Registrar,
Tiruvannamalai,
Tiruvannamalai District.
- 3.The Joint Sub Registrar-II,
Tiruvannamalai,
Tiruvannamalai District.

+1cc to Mr.Rajarajan, Advocate, S.R.No. 29354

+1cc to the Government Pleader, S.R.No. 29639

W.P.No.12219 of 2020

MP (CO)
GN(20/10/2020)

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