

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.09.2020

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

WP.No.12406/2020

T.Senthil Kumar

.. Petitioner

Versus

1. The District Registrar
Dharmapuri District, Dharmapuri.

2. The Sub Registrar,
Pappireddypatti,
Dharmapuri District.

3. Mrs.Rajam

4. R.T.Ajay Karthick

5. T.Subha

.. Respondents

Prayer :- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the 1st respondent to take necessary legal action against all the persons and the officials who involved in the fraudulent registration of Settlement Deeds dated 24.07.2020 executed by the 3rd respondent Mrs.Rajam and fraudulently registered as Document Nos.1875/2020 in favour of the 4th respondent viz., Ajay Karthick and Document No.1876/2020 in favour of the 5th respondent, viz. Subha, on the file of the SRO, Pappireddipatti, viz., the 2nd respondent, by considering the petitioner's representation dated 10.08.2020 within a reasonable period to be fixed by this Court.

For Petitioner : Mr.R.Neelakandan

For RR 1 & 2 : Mr.T.M.Pappiah

Special Government Pleader

ORDER

(1) This writ petition has been filed for the issue of a writ of mandamus, directing the 1st respondent to take action against the officials who had fraudulently registered the Settlement Deed dated 24.07.2020 executed by the 3rd respondent in favour of respondents 4 and 5, registered as Document Nos.1875 and 1876 of 2020 on the file of the 2nd respondent by considering the representation made by the petitioner on 10.08.2020 within the time frame to be fixed by this Court.

- (2) The case of the petitioner is that the property originally belonged to the mother of the petitioner. Thereafter, a suit for partition was filed in OS.No.67 of 2020 which is pending on the file of the Sub Court, Harur. The grievance of the petitioner is that respondents 3 to 5 have managed to create a fraudulent Settlement Deed by registering the same on the file of the 2nd respondent. The petitioner made a representation on 10.08.2020 seeking to conduct an enquiry under Sections 82 and 83 of the Registration Act and in accordance with the Circular issued by the Inspector General of Registration. Since no action was taken, the present writ petition has been filed before this Court seeking for appropriate directions.
- (3) Heard the learned counsel for the petitioner and Mr.T.M.Pappiah, learned Special Government Pleader accepting notice on behalf of respondents 1 and 2.
- (4) Taking into consideration the facts and circumstances and the limited relief sought for in this writ petition, there shall be a direction to the 1st respondent to consider the representation made by the petitioner on 10.08.2020 and deal with the same strictly in accordance with law and pass orders within a period of eight weeks from the date of receipt of a copy of this order. The 1st respondent shall issue notice to respondents 3 to 5 before conducting enquiry and passing final orders.
- (5) This writ petition is disposed of with the above direction. No costs.

Sd/-/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar

AP

To

1. The District Registrar
Dharmapuri District, Dharmapuri.
2. The Sub Registrar,
Pappireddypatti,
Dharmapuri District.

+1cc to Government Pleader, Sr.No.29894

WP.No.12406/2020

GJ(CO)
GS(20/10/2020)