

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.15215 of 2020

Manne Venkata Chalapathi,
No.6-1, Karavadi, ongole Mandal,
Prakasam District,
Andhra Pradesh.
PIN 523 182.

...Petitioner

Vs.

1. The Inspector General of Registration,
Office of the Inspector General of
Registration, Santhome High Road,
Mylapore, Chennai 600 004.
2. The District Registrar (Admin.),
Office of the District Registrar (Admin)
Chennai South,
No.9, West Jones Road, Saidapet,
Chennai 600 015.
3. The Sub Registrar,
Office of the Sub Registrar,
Velachery, Chennai 600 042.
4. Mrs.S.Jothi
5. Mr.D.Devadoss
6. Mr.Janarthanam
7. Mr.J.Sathyalingam
8. Mr.M.Sathyanarayanamoorthi
9. Mr.E.Dinesh Kumar
10. Mrs. Fathima Ali
11. Mr.S.Vinod
12. G. Suresh
13. Mrs.S.Vijaya\
14. Tata Capital Housing Finance Ltd.,
Centennial Square, 1st Floor,
No.6A, Dr.Ambedkar Salai,
Kodambakkam, Chennai 600 024.
15. Mrs.Manne Vengamma,
Wife of Mr.Konda Reddy,
1-75, Padamati Naidu Palli,
Marripadu, near Ramalayam
Padamatinaidupalli, Nellore District,
Andhra Pradesh 524 302.

...Respondents

PRAYER : Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus to direct the second respondent to consider petitioner's representation dated 24.08.2020 sent to the Second Respondent to conduct an enquiry under section 68(2) of the Registration Act, 1908 relating to the documents registered on the file of the third respondent during 2017 and 2018 as mentioned in the said petitioner's representation dated 24.08.2020 by respondents 4 to 14 and pass orders in accordance with law within a time stipulated by this Court and to record the said findings of the order of the second respondent in the relevant Index of Registers and copies of the said Documents on the file of the third respondent.

For Petitioner : Mr.Duraikkan S.Phillip.

For Respondents: Mr. T.M. Pappiah, Spl. Govt. Pleader
1 to 3

O R D E R

This writ petition has been filed for the issue of Writ of Mandamus directing the 2nd respondent to consider the representation made by the petitioner on 24.8.2020, wherein, the petitioner has requested the 2nd respondent to take action on the alleged fabricated documents that was prepared by respondents 4 to 14 and registered on the file of the 3rd respondent.

2. Heard Mr.Duraikkan S.Philip, learned counsel appearing for the petitioner and Mr.T.M.Pappiah, learned Special Govt. Pleader appearing for the respondents 1 to 3.

3. The case of the petitioner is that the subject property originally belonged to his mother and she passed away in the year 2004. Thereafter, the petitioner became the absolute owner of the property being the sole legal heir who inherited the property. The further case of the petitioner is that a fabricated Settlement Deed came to be registered before the 3rd respondent on 3.2.2017, as if it was executed by the mother of the petitioner in favour of her daughter. The grievance of the petitioner is that his mother had expired as early as in the year 2004 itself and therefore it was impossible for her to have execute a Settlement Deed in the year 2017. According to the petitioner, a Power of Attorney, thereafter came to be executed and based on the Power of Attorney, several documents came to be registered before the 3rd respondent. The further case of the petitioner is that a Police Complaint has also been lodged in this regard and the investigation is pending on the file of the CCB, Chennai in Crime No.194 of 2018. The petitioner had given a complaint before the second respondent requesting for conducting an enquiry under section 68(2) of the Registration Act. The grievance of the petitioner is that the

2nd respondent has not made any progress in the enquiry and left with no other option, the petitioner has approached this Court seeking for appropriate directions.

4. Taking into consideration the facts and circumstances of the case and the limited relief sought for in the Writ Petition, there shall be a direction to the 2nd respondent to act upon the complaint made by the petitioner on 24.08.2020 and conduct an enquiry after affording an opportunity to the petitioner and respondents 4 to 14 and pass final orders strictly in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the 2nd respondent along with all the relevant documents and a copy of this order.

5. The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Inspector General of Registration,
Office of the Inspector General of
Registration, Santhome High Road,
Mylapore, Chennai 600 004.
2. The District Registrar (Admin.),
Office of the District Registrar (Admin)
Chennai South,
No.9, West Jones Road, Saidapet,
Chennai 600 015.
3. The Sub Registrar,
Office of the Sub Registrar,
Velachery, Chennai 600 042.

+1cc to the Government Pleader, S.R.No.35456

W.P.No.15215 of 2020

VD(CO)
RV(09/12/2020)