

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :09.12.2020

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.17619 of 2020

Raja Ravi Sekhar,
No.C-1, Samhitha Homes,
1st Cross, Kaggadasapura,
Bangalore - 560 093.

...Petitioner

Vs.

1.The District Registrar (Admn.)
Saidapet,
Chennai 600 015.

2.S.Devan,
New No.21, Old No.9,
KVK Samy Street,
Nehru Nagar, Velachery,
Chennai 600 042.

....Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 1st respondent to forthwith conduct an enquiry on the complaint of the petitioner dated 31.12.2019 as per the Circulars of the Inspector General of Registration dated 08.11.2017 and 31.07.2018 and to pass a speaking order within a stipulated period.

For Petitioner : Mr.S.Jegan

For Respondents: Mr.T.M.Pappiah, (for R1)
Special Government Pleader

ORDER

This Writ Petition has been filed for the issue of Writ of Mandamus, directing the 1st respondent to conduct an enquiry on the complaint made by the petitioner on 31.12.2019.

2.The case of the petitioner is that the subject property originally stood in the name of the grandmother of the petitioner and subsequently, a release deed was executed in favour of the mother of the petitioner. On 09.08.2016, the mother of the petitioner executed a general Power of Attorney in favour of one Krishnappa and Memorandum of Understanding is also

entered into between the parties. The further case of the petitioner is that a fake life certificate was created by the power agent and using the fake certificate, the property was said to be conveyed by way of a sale deed to the 2nd respondent. This resulted in a complaint given to the police and ultimately, a FIR came to be registered in Cr.No.289/2019 on the file of the CCB, Chennai against the 2nd respondent and two others. It is stated that the accused persons were also arrested by the police and they were remanded to judicial custody.

3.The petitioner made a complaint to the 1st respondent to conduct an enquiry on the fraudulent sale deed that came to be executed on 22.01.2017 in accordance with the circular issued by the Inspector General of Registration. Since the same did not evoke any response, the present petition has been filed before this Court, seeking appropriate orders.

4.Heard Mr.S.Jegan, learned counsel appearing on behalf of the petitioner and Mr.T.M.Pappiah, learned Special Government Pleader appearing for the 1st respondent.

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 1st respondent to act upon the complaint given by the petitioner on 31.12.2019 and conduct an enquiry by giving opportunity to the petitioner and the 2nd respondent and pass orders, strictly in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. The petitioner is directed to make fresh representation to the 1st respondent along with all the relevant documents and also a copy of this order.

6.This Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

The District Registrar (Admn.)

Saidapet,

Chennai 600 015.

+1cc to Mr.S.Jegan, Advocate, S.R.No.39717

+1cc to the Government Pleader, S.R.No.40429

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SR II (CO)

RV (04/01/2021)