



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :28.08.2020

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.10311 of 2020

A.Krishnamoorthy

... Petitioner

Vs

- 1.The District Registrar,
Department of Registration,
Thanjavur District.
- 2.The Superintendent of Police,
Thanjavur.
- 3.The Sub Registrar,
Office of the District Registrar,
Thanjavur.
- 4.The Sub Registrar,
Office of the Sub Registrar,
Vallam Post and Taluk,
Thanjavur District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 1st respondent to conduct the proper enquiry, on the basis of petitioner's representation dated 13.07.2020 and complete the same within the reasonable time fixed by this Court.

For Petitioner : Mr.P.Ganapathi Subramanian
For Respondents : Mr.K.Sathiya Singh
Additional Government Pleader

ORDER

This Writ Petition is filed to direct the 1st respondent to conduct the proper enquiry, on the basis of the petitioner's representation dated 13.07.2020 and to complete the same.

2.By consent of both parties, this Writ petition is taken up for final disposal at the admission stage itself.

3.It is the case of the petitioner that he purchased the property in Plot No.A9 in S.No.317 in his wife's name, Alamelumangai and the property in Plot Nos.18, 19, 34 and 35 in S.No.139/4 N, measuring to an extent of 9200 sq.ft., by way of registered sale deeds dated 13.10.1983 and 05.10.1996 respectively. After the demise of Alamelumangai, her legal heirs were succeeded to the said property.



4. Thereafter, the petitioner came to know at the time of approaching the respondents seeking to furnish the encumbrance certificate in S.No.317, one Baskaran created a forged general power of attorney deed dated 16.06.2020, in favour of one Hema Bai and the same has been registered as Doc.No.2325 of 2020 on the file of the 4th respondent, wherein, it had been mentioned that the said Baskaran is the petitioner's son. Further, insofar as the property in S.No.139/4 N is concerned, one Senthil Kumar has created a forged power of attorney deed dated 08.01.2020, which was registered as Doc.No.51/2020 on the file of the 4th respondent.

5. Narrating all the aforesaid facts, though the petitioner's son, namely, K.Ganesh Chandrakalakaran, made a representation dated 13.07.2020 to the 1st respondent, so far, no action has been taken. Hence, the petitioner is before this Court.

6. In reply, the learned Additional Government Pleader appearing for the respondents would submit that the petitioner's representation dated 13.07.2020, would be considered on merits and in accordance with law, within a time frame to be fixed by this Court.

7. Heard the learned counsel on either side.

8. Though the petitioner has raised various allegations, this Court is not inclined to express any opinion on the same. It is for the authorities concerned to consider the same and take an appropriate decision in accordance with rules.

9. In the light of the above, this Court, without expressing any opinion on the merits of the case, is inclined to pass the following directions:-

the 1st respondent is directed to consider the petitioner's representation dated 13.07.2020 and pass appropriate orders, after affording opportunity of hearing to the parties concerned, within a period of four months from the date of receipt of a copy of this order;

10. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (Records)

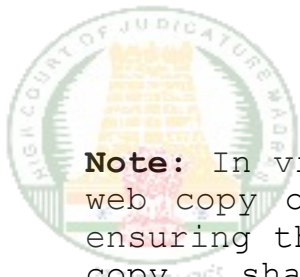
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/ /2020

Sub Assistant Registrar(CS)

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<https://hcservices.ecourts.gov.in/hcservices/>



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

WEB COPY

To

- 1.The District Registrar,
Department of Registration,
Thanjavur District.
- 2.The Superintendent of Police,
Thanjavur.
- 3.The Sub Registrar,
Office of the District Registrar,
Thanjavur.
- 4.The Sub Registrar,
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Vallam Post and Taluk,
Thanjavur District.

+1 CC to M/s.GP (SR-15380[F] dated 31/08/2020)

W.P. (MD) No.10311 of 2020

28.08.2020

AP(09/09/2020) 3P 6C