



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE S. VAIDYANATHAN

W.P. (MD)No.11410 of 2020

in W.M.P. (MD) No.9986 of 2020

Kalimuthu

... Petitioner

-vs-

- 1.The Inspector General of Registration,
100, Santhome High Road,
Raja Annamalai Puram,
Chennai-600 028.
- 2.The District Registrar (Palayamkottai Registration District),
District Registrar Office,
Collectorate Campus,
Kokkirakulam,
Tirunelveli.
- 3.The Sub Registrar,
Sub Registrar Office,
Kovilpatti,
Thoothukudi District.
- 4.The Sub Registrar,
Sub Registrar Office,
Sivagiri, Tenkasi.
5. Ramachandran
6. Balasundararaj
7. M.Radhakrishnan
8. Chelladurai
9. Muthusamy

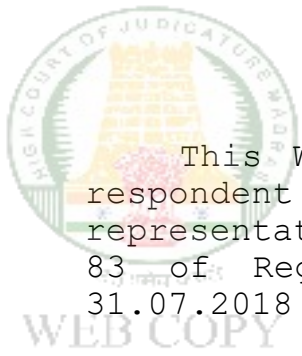
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 2nd respondent herein to consider the petitioner's complaint / representation dated 17.08.2020 and initiate enquiry under Section 83 of Registrar Act read with Circular dated 08.11.2017 and 31.07.2018 issued by the 1st respondent herein and pass final order.

For Petitioner
For R1 to R4

: Mr.V.Meenakshisundaram
: Mr.M.Murugan
Govt. Advocate
: Mr.Vairamuthu
: Mr.M.Thirunavukkarasu

For R5 to R8
For R9



O R D E R

This Writ Petition has been filed for a direction to the 2nd respondent herein to consider the petitioner's complaint / representation dated 17.08.2020 and initiate enquiry under Section 83 of Registrar Act read with Circular dated 08.11.2017 and 31.07.2018 issued by the 1st respondent herein and pass final order.

2. The case of the petitioner is that he submitted a complaint / representation dated 17.08.2020, stating that 5th and 6th respondents in connivance with 7th and 8th respondents created false sale deeds dated 16.04.2018. It is stated that the 9th respondent, who has been working in the Sub Registrar Office, Kovilpatti, is the brother of 7th and 8th respondents under the aforesaid documents. Though a complaint has been given in this regard to the 2nd respondent for a detailed enquiry, no action has been taken so far. Hence, the petitioner is before this Court with the above prayer.

3. It is represented by the learned Government Advocate appearing for R1 to R4 that an enquiry has already been commenced under Section 68 of the Registration Act to ascertain about the veracity of registration and if there is any error, the same would be rectified and registration would be cancelled. It is further represented that in case there is any malpractices found during enquiry, a criminal prosecution will be initiated in terms of 83 of the Registration Act.

4. In view of the above submission, the Writ Petition is disposed of, with a direction to the 2nd Respondent, before whom the complaint / representation dated 17.08.2020 is stated to be pending, to complete the enquiry within a period of four months from the date of receipt of a copy of this order. Since the petitioner has been enjoying the benefit of interim order, no encumbrance shall take place in the properties in question till a final decision is taken thereon in terms of Sections 68 and 83 of the Registration Act. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To:

1.The Inspector General of Registration,
100, Santhome High Road,
Raja Annamalai Puram,
Chennai-600 028.

2.The District Registrar (Palayamkottai Registration District),
District Registrar Office,
Collectorate Campus,
Kokkirakulam,
Tirunelveli.

3.The Sub Registrar,
Sub Registrar Office,
Kovilpatti,
Thoothukudi District.

4.The Sub Registrar,
Sub Registrar Office,
Sivagiri, Tenkasi.

+1 CC to M/s.SPL GP(SR-19628[F] dated 09/10/2020)

+1 CC to M/s.D. NALLATHAMBI, Advocate (SR-19667[F] dated 09/10/2020)

W.P. (MD) No.11410 of 2020
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NS (CO)

KB(15.10.2020) 3P 7C