



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.09.2020

CORAM

THE HONOURABLE **MR. JUSTICE D.KRISHNAKUMAR**

W.P. (MD)No.11633 of 2020

WEB COPY

S.Arul

... Petitioner

Vs.

1.The District Registrar,
Tenkasi District, Tenkasi.

2. The Sub Registrar,
Puliyangudi,
Tenkasi District.

3.Periyadurai.

4.Vellathai

5.Sathish

6.Anusuya

7.Jeyaseelan

... Respondents

Prayer: This Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, to direct the first respondent to complete the enquiry under Section 68/2 of the Registration Act and pass appropriate orders in document number 2337/2017, 2075/2018 and 2770/2018 on the file of the second respondent office, based on the petitioner's representation dated 20.08.2019, within a time stipulated by this Court.

For Petitioner : Mr.K.P.Sankara Kumara Kuruparan
For R1 & R2 : Mr.K.Sathiya Singh,
Additional Government Pleader.

ORDER

This writ petition has been filed seeking a direction to direct the first respondent to complete the enquiry under Section 68/2 of the Registration Act and pass appropriate orders in document number 2337/2017, 2075/2018 and 2770/2018 on the file of the second respondent office, based on the petitioner's representation dated 20.08.2019, within a time frame.

2.The learned counsel appearing for the petitioner would submit that the petitioner preferred a complaint before the first respondent alleging that a forged document was created by impersonation and based on the same, the private respondents herein registered a sale deed, dated 03.10.2017 on the file of the second



respondent herein. Since no action has been initiated on the complaint of the petitioner, he filed the present writ petition.

3.The learned Additional Public Prosecutor appearing for the first and second respondents would submit that the complaint of the petitioner will be considered by the first respondent under Section 83 of the Registration Act.

4.In view of the above, this Court directs the first respondent to conduct an enquiry on the complaint of the petitioner, after providing an opportunity of being heard to the petitioner as well as the private respondents herein and also to any other rival claimants and to pass orders on merits and in accordance with law, within a period of twelve(12) weeks from the date of receipt of a copy of this order.

5.With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (C.O)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

gns

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.

To

1. The District Registrar,
Tenkasi District, Tenkasi.
2. The Sub Registrar,
Puliyangudi, Tenkasi District.

+1 CC to Mr.K.P.SANKARA KUMARA KURUPARAN, Advocate SR-16992
+1 CC to the SPL GP SR-16923.

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SJ(CO)
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