



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **26.11.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **S. VAIDYANATHAN**

W.P (MD) No.15258 of 2018

N.Seeralan

... Petitioner

Vs.

1. The Inspector General of Registration,
100, Santhome Highways,
Pattinapakkam,
Chennai - 600 028.

2. The District Registrar (Admin),
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent to conduct proper enquiry on the basis of the appeal by the petitioner dated 13.03.2017 and direct the first respondent to dispose of the appeal within a stipulated time.

For Petitioner	: Mr.R.Babu Jaganath
For respondents	: Mr.K.Sathiya Singh Additional Government Pleader

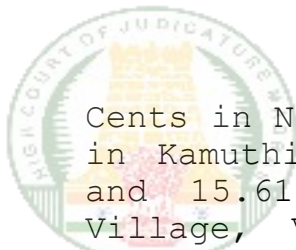
ORDER

This writ petition has been filed for issuance of a Writ of Mandamus directing the first respondent to conduct proper enquiry on the basis of the appeal by the petitioner dated 13.03.2017 and direct the first respondent to dispose of the appeal within a stipulated time.

2.Heard the learned Counsel appearing for the petitioner and Mr.K.Sathya Singh, learned Additional Government Pleader appearing for the respondents.

3.The learned Counsel appearing for the petitioner submitted that the petitioner had purchased properties measuring to an extent of 64 Cents, 4 Cents, 69 Cents, 2 Cents totally 1 Acre 39

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Cents in Nos.300/3A, 300/3B, 300/4A and 300/4B respectively situated in Kamuthi Village, Kamuthi Sub Division, Ramanathapuram District and 15.61 Square Meters in S.No.26 of Inamkasi Reddiarpatti Village, Virudhunagar Joint Sub Division II, of Virudhunagar District from one K.Sethuraman son of Kabeerdoss through a registered sale deed dated 04.07.2016 and petitioner has been in possession and enjoyment of the said properties. While so, on the basis of a complaint received from one V.Muthumari, son of Vellaiya Naiyakar of Sethurajapuram, Valayapookulam Post, Kamuthi Taluk, Ramanathapuram District, the second respondent passed an order on 24.02.2017 cancelling the sale document of the petitioner bearing No.4460/2016 and also by invoking Circular No.67/2011, dated 03.11.2011, recommended for criminal action against the petitioner and his vendor by name K.Sethuraman. Aggrieved against the said order, the petitioner preferred an appeal before the first respondent on 13.03.2017 who had refused even to number the petitioner's appeal and failed to hear the same. Therefore, the petitioner has come forward with the present Writ Appeal.

4.Considering the facts and circumstances of the case and without expressing any opinion on the merits of the matter, this Court is inclined to pass the following order:

"The first respondent is directed to consider the appeal dated 13.03.2017 preferred by the petitioner and pass orders in accordance with law, particularly, by taking note of Section 68(2) of the Registration Act, 1908, and thereafter, the concerned authority may invoke Sections 82 and 83 of the said Act. The said exercise shall be done within a period of four months from the date of receipt of a copy of this order. On enquiry, if it is found that there is fraud, the proceedings under Sections 82 and 83 shall be brought to the logical end."

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

Sd/-

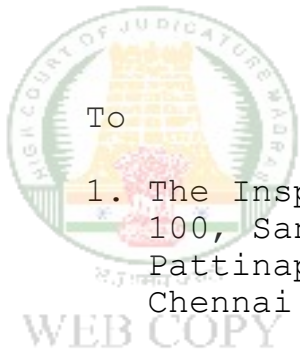
Assistant Registrar (T&P)

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/ /2021

Sub Assistant Registrar(CS)

SRM



To

1. The Inspector General of Registration,
100, Santhome Highways,
Pattinapakkam,
Chennai - 600 028.

2. The District Registrar (Admin),
Virudhunagar District.

+1cc to the SPL GP SR.No.23097.

W.P (MD) No.15258 of 2018
26.11.2020

SGS (CO)
CS (05.01.2021) 3P 4C