

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2021

CORAM :
THE HON'BLE MR.JUSTICE N.SESHASAYEE

W.P.No.1210 of 2021

Y.Mohamed Ghouse

...

Petitioner

Vs.

1.The Inspector General of Registration
Office of the Inspector General of Registration
Santhome High Road
Chennai - 600 028.

2.The District Registrar
District Registrar Office
No.1, Kutchery Road
Mayiladuthurai - 609 001.

3.The Sub Registrar Joint II
Office of the Sub Registrar
Kutchery Road
Mayiladuthurai - 609 001.

4.The District Registrar
Nagapattinam.

[R4 suo moto impleaded Vide order of the
Court dated 22.01.2021 in WP.No.1210 of 2021]

Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondents to transfer the enquiry based on the complaint letter No.22723/R1/2020 and letter No.22524/S12020 to an appropriate authority other than Mayiladuthurai District Registrar.

For Petitioner : Mr.H.Navas Basha

For Respondents : Mr.T.M.Pappiah

Special Government Pleader [R1 to R4]

ORDER

The quintessence of the allegations made in the affidavit filed in support of this writ petition is that a certain Kalayana Sundaram, is pulling the string in the functioning of

the third respondent, and interferes with the matters connected with the registration of documents relating to the properties of the petitioner. Therefore, the petitioner has preferred a complaint before the first respondent, the Inspector General of Registration, Chennai to enquire into the allegation Vide his complaint dated 01.09.2020. Be that as it may, the second respondent issued a notice for enquiry, granting the petitioner only two days time, and since the petitioner is a practising advocate, he could not immediately organise to go to Mayiladuthurai, and therefore, he wanted to transfer the enquiry other than this place.

2. Heard the learned counsel for the petitioner. Mr.T.M.Pappiah, learned Special Government Pleader takes notice for the respondents.

3. It is seen that the said Kalyanasundaram was not arrayed as the respondent, but he is still named in the affidavit.

4. This Court is not primly satisfied with the statement made by the petitioner in his affidavit seeking transfer of enquiry to any district other than Mayiladuthurai. *Prima facie*, there is no malafide alleged, nor can it be interfered. Giving a short notice for enquiry *per se* may not amount to a malafide act.

5. Mr.T.M.Pappiah, learned Special Government Pleader on instructions from the first respondent submitted that the enquiry has been transferred to the District Registrar, Nagapattinam. Hence, this Court has directed the impleadment of the District Registrar, Nagapattinam as the fourth respondent, *suo moto*. The statement of the learned Special Government Pleader is recorded.

6. In view of the above, nothing survives in this petition. Hence, this petition is closed. No costs.

Sd/-

Assistant Registrar (CS.VII)

/True Copy/

Sub Assistant Registrar

To:

1. The Inspector General of Registration
Office of the Inspector General of Registration
Santhome High Road
Chennai - 600 028.

2.The District Registrar
District Registrar Office
No.1, Kutchery Road
Mayiladuthurai - 609 001.

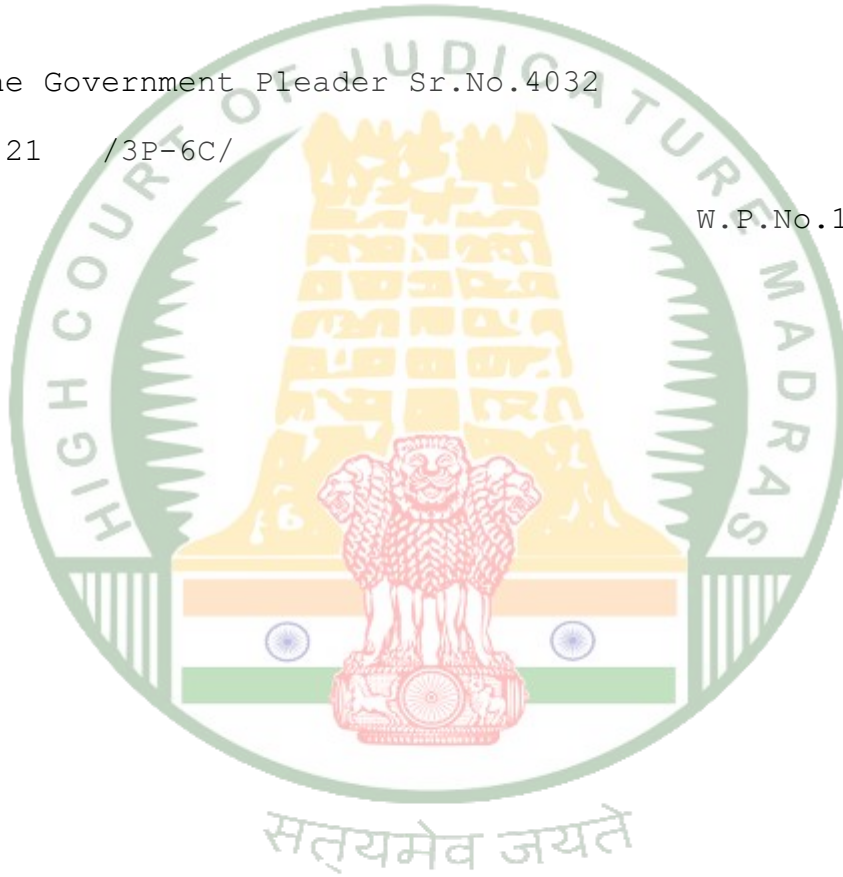
3.The Sub Registrar Joint II
Office of the Sub Registrar
Kutchery Road
Mayiladuthurai - 609 001.

4.The District Registrar
Nagapattinam.

+1cc to The Government Pleader Sr.No.4032

AKM/23.02.21 /3P-6C/

W.P.No.1210 of 2021
22.01.2021



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