



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.08.2021

CORAM

THE HON'BLE Mr.JUSTICE C.V.KARTHIKEYAN

W.P.No.8827 of 2021

Mrs.Mandarammal

... Petitioner

-Vs.-

1. The District Registrar (Admn.),
Ranipet District,
Ranipet.

2. Joint-1 Sub-Registrar Office,
Arakkonam,
Ranipet District.

3. B.Dasarathan

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to take necessary action on the petitioner's representation dated 12.01.2021 as per Circular in Letter No.41530/U1/2017 dated 08.11.2017 issued by the Inspector General of Registration, within a reasonable period, without giving any place for further fraudulent registrations affecting the petitioner's property right.

For Petitioner : Mr.Sreenivasalu
for Mr.R.Neelakandan.

For Respondents : Mr.KMD.Muhilan
Government Advocate.

O R D E R

The Writ Petition has been filed in the nature of Mandamus seeking a direction to the first respondent viz., The District Registrar (Admn.), Ranipet District, to take necessary action on the representation of the petitioner dated 12.01.2021 in accordance with the circular in Letter No.41530/U1/2017 dated 08.11.2017 issued by the Inspector General of Registration.



2.The petitioner claims that her husband was the absolute owner of the properties situated in Kainur and Melpakkam Villages, Arrakonam Taluk within the Sub-Registration of Joint-1 Sub-Registrar, Arakkonam, which now comes under Ranipet District. In Kainur Village, the petitioner's husband owned properties in S.F.No.326/B(sub Division S.F.No.326/1A1) measuring 0.58 Cents and in S.F.327/B measuring 0.92 Cents and in Melpakkam Village in S.F.No.6/1 measuring 0.31 Cents and in S.F.NO.6/4 measuring 0.21 Cents, out of which 11 Cents had already been sold. The petitioner's husband had also executed a deed on 25.01.2011 registered as Document No.648 of 2011, settling the said property in favour of the petitioner. It is claimed by the petitioner that the third respondent viz., B.Dasarathan, had obtained a power of attorney from the petitioner, her husband and her daughters, which was registered as Document No.75 of 1992 on 05.08.1992 on the file of the Joint Sub-Registrar, Arakkonam. Taking advantage of the same, the third respondent had already dealt with the property and had sold out plots to various purchasers. Since he had failed to render any accounts to the petitioner with regard to the sale of plots, the power of attorney had been cancelled on 19.03.2004, which has been registered as Document No.29 of 2004 in the Joint -I Sub Registrar, Arakkonam. The petitioner however found that the third respondent continued to deal with the property and this necessitated her to give a representation on 12.01.2021 to the first respondent to act in accordance with the circular of the Inspector General of Registration dated 08.11.2017 in Letter No.41530/U1/2017.

3.Heard Mr.KMD.Muhilan, learned Government Advocate appearing for the first and second respondents.

4.There shall be a direction to the first respondent to consider the representation of the petitioner and to make necessary enquiry and examine the records and also the registrations made on the above said series of properties and pass a detailed order within a period of twelve weeks from the date of receipt of copy of this order.

5.Accordingly, the Writ Petition is allowed. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1. The District Registrar (Admn.),
Ranipet District,
Ranipet.

2. The Sub-Registrar,
Joint-1 Sub-Registrar Office,
Arakkonam,
Ranipet District.

+1CC to Mr.R.Neelakandan, Advocate, Sr.No.39562

+1CC to Government Pleader, Sr.No.39790

W.P.No.8827 of 2021

NRL (CO)

K.RK. (24.08.2021)