

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2021

CORAM: JUSTICE N.SESHASAYEE

W.P.No.6871 of 2021

Mr.G.Selvam

...Petitioner

-Vs-

1.The Inspector General of Registration,
Office of the Inspector General of Registration,
No.100, Santhome High Road,
Chennai 600 004.

2.The District Registrar,
Office of the District Registrar,
No.9, W.Jones Road, Saidapet,
Chennai 600 015.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to pass order on petitioner's representation dated 23.09.2020 and to complete the enquiry within the stipulated time for cancelling the forgery power of attorney registered on 22.07.2020 as document No.4397 in the office of Chennai - South by impersonation.

For Petitioner : Mr.S.Senthil Kumar

For Respondents : Mr.T.M.Pappiah,
Special Government Pleader

ORDER

This Writ Petition is filed for a Mandamus, to direct the respondents to pass order on petitioner's representation dated 23.09.2020 and to complete the enquiry within the stipulated time for cancelling the forgery power of attorney registered on 22.07.2020 as document No.4397 in the office of Chennai - South by impersonation.

2. Heard Mr.T.M.Pappiah, learned Special Government Pleader for the respondents.

3. The learned Special Government Pleader submitted that the Registrar in authority can only hold an enquiry under Section 82 r/w 83 of the Registration Act and may not be able to declare if any document as fraudulent. He also submitted that it would be contrary to the ratio declared by the Hon'ble Supreme Court in the case of Satya Pal Anand Vs. State of Madhya Pradesh & others [(2016) 10 SCC 767].

4. The District Registrar is now required to only hold an enquiry under Section 82 r/w 83 of the Registration Act, after hearing all the parties who are likely to be affected by his decision and provide them a fair and effective hearing and take a call on the petitioner's representation, within a period of 12 weeks from the date of receipt of a copy of this order.

5. Accordingly, this writ petition stands disposed of.
No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

gsk

To

1.The Inspector General of Registration,
Office of the Inspector General of Registration,
No.100, Santhome High Road,
Chennai 600 004.

2.The District Registrar,
Office of the District Registrar,
No.9, W.Jones Road, Saidapet,
Chennai 600 015.

+lcc to Mr.Sar Associates, Advocate, S.R.No. 17052

+lcc to the Government Pleader, S.R.No. 17732

सत्यमेव जयते

W.P.No.6871 of 2021

SKY (CO)

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