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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 16..06..2021

CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition No.7998 of 2021

A.Meera

... Petitioner

-Versus-

1.The District Registrar,
North Madras Registration District,
Kuralagam, Chennai 600104.

2.The Superintendent of Police,
Kancheepuram District,
Kancheepuram.

3.A.Meera

4.S.Durairaj

5.The Inspector General of Registrar,
Office of the Tamil Nadu Registration Department,
Santhome High Road, Chennai 600 028.

[5th respondent suo motu impleaded as per order dated
29.03.2021 made in W.P.No.7998 of 2021] ... 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 appropriate action on the petition dated 02.01.2021 made to the 1st respondent and dated 12.10.2020 made to the 2nd respondent within a time fixed by this court.

For Petitioner : Mr.B.Manoharan

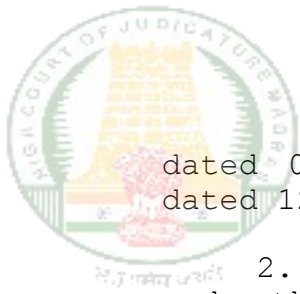
For Respondent(s) : Mr.K.M.D.Muhilan, GA
for RR1, 2 and 5

Notice as against RR3 and 4
dispensed with

ORDER

[This matter has been heard through video conference]

This writ petition has been filed seeking mandamus directing the 1st respondent to take appropriate action on the petition



dated 02.01.2021 made to the 1st respondent and the petition dated 12.10.2020 made to the 2nd respondent within a time frame.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents 1, 2 and 5 and also perused the records carefully.

3. The case of the petitioner is that he has become the absolute owner of the Plots bearing Nos.1 and 24, Balaji Nagar, comprised in S.No.132/1, Nallur Village, Kundrathur Taluk, Kancheepuram District, having purchased the same under a registered sale deed vide Doc.No.4676 of 1983 dated 28.05.1983 and 1483 of 1985 dated 25.03.1985 on the file of the Sub Registrar, Sriperumbudur. Ever since the date of purchase she has been in possession and enjoyment of the same. She had availed a loan by mortgaging the property comprised in Plot No.24 with one Smt.Krishnakumari through a registered mortgage deed under Doc.3264 of 1986 on the file of the Sub Registrar, Sriperumbudur. She had paid the dues under the mortgage deed. While so, a power of attorney deed was executed impersonating her. According to the petitioner, when the representation dated 02.01.2021 made by him to the 1st respondent to cancel the power of attorney which is purported to have been executed by her in favour of the 4th respondent on 04.08.2020 was not considered, he had approached the Deputy Inspector General of Registration for appropriate direction. Despite a communication dated 08.01.2020 from the Deputy Inspector General of Registration to the 1st respondent to conduct an enquiry and take appropriate action, no action has been taken by the 1st respondent is the grievance of the petitioner.

4. Considering the relief sought for in the writ petition and the nature of the order which is proposed to be passed in this writ petition, notice to the private respondents is not necessary and therefore, the notice as against the respondents 3 and 4 is dispensed with.

5. The learned counsel for the petitioner submitted that despite the order of the Deputy Inspector General of Registration, no action is being taken by the 1st respondent on the petition made by the petitioner.

6. The learned Government Advocate submitted that suitable directions may be issued to the 1st respondent to conduct an enquiry as directed by the Deputy Inspector General of Registration on the complainant made by the petitioner as per the circular issued by the Inspector General of Registration.

7. In the light of the limited prayer sought for in the writ petition, without going into the merits of the case, this court



directs the 1st respondent to consider the petitioner's representation dated 02.01.2021 and pass suitable orders thereof on merits and in accordance with law after giving sufficient opportunities to the petitioner as well as to the respondents 3 and 4 within a period of twelve weeks from the date of receipt of a copy of this order. This writ petition is disposed of accordingly with the above directions. No costs.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

kmk

To

- 1.The District Registrar,
North Madras Registration District,
Kuralagam, Chennai 600104.
- 2.The Superintendent of Police,
Kancheepuram District,
Kancheepuram.
- 3.The Inspector General of Registrar,
Office of the Tamil Nadu Registration Department,
Santhome High Road, Chennai 600 028.

+1cc to the Government Pleader, S.R.No.28125

Writ Petition No.7998 of 2021

PCH(CO)
CB(23/07/2021)