



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.03.2021

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR
W.P.No.14251 of 2018

1.Mrs.Sarasammal
2.Baby

.. Petitioners

Vs.

1.The Inspector General of Registration
Santhome,
Chennai - 600 008

2.The Deputy Inspector General of Registration
Salem,
Salem District

3.The District Registrar
Krishnagiri,
Krishnagiri District

4.The Joint I Registrar
Krishnagiri,
Krishnagiri District

5.Muniraj

.. Respondents

* * *

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd and 4th respondents to implement the order passed by the third respondent in No.6085/U/17 dated 25.05.2018 within the time frame.

* * *

For Petitioner : Mr.S.Arokia Maniraj
For R1 to R4 : Mr.B.Kannan
Government Advocate

O R D E R

This writ petition is filed for issuing a direction to the respondents 2 and 4 to implement the order passed by the third respondent dated 25.05.2018.



2. The brief facts that are necessary to dispose of the writ petition are as follows: It is stated that the petitioners have purchased certain properties which are classified as 'Depressed Class' land. It is the case of the petitioners that the property measuring an extent of 0.43.00 hectare (1 Acre 6 Cents) was originally assigned in favour of one Mrs.Aluminiammal, wife of Muniyan. It is stated that the said Aluminiammal along with her children, sold the property in favour of Sarasammal, Baby (petitioners) and one Muniammal, by a registered sale deed dated 07.05.1986. It is the further case of the petitioners that the son of Muniyan by name Muniraj, executed a fraudulent sale deed suppressing the fact that his father had already sold the property in favour of the petitioners and others.

3. Stating that the petitioners' vendor is creating a fraudulent document, the petitioners have approached the Sub Registrar and the Revenue officials for taking action against the executant of the sale deed. Despite the fact that the petitioners made objections for registering any document, it is stated that a sale deed has been executed by the legal heirs of the petitioners' vendor suppressing the prior alienation by the father of the seller. Since the registration of the subsequent sale deed was contrary to several guidelines and circulars issued by the Inspector General of Registration, Chennai, the petitioners have lodged a complaint before the District Registrar, Krishnagiri, who passed an order on 25.05.2018 recommending necessary disciplinary action against the concerned Registrar, who failed to adhere to the guidelines and circulars issued to the Sub Registrars. The present writ petition is filed by the petitioners to take appropriate action as per the recommendation of the District Registrar dated 25.05.2018.

4. None of the respondents, have filed any counter. The petitioners have impleaded the son of their vendor as fifth respondent.

5. Having regard to the facts that are narrated in the affidavit filed in support of the writ petition, this court is of the view that the writ petition can be disposed of directing the respondents to consider the recommendation of the third respondent and take appropriate action, if necessary, within a reasonable time.

6. Accordingly, the second respondent is directed to pass appropriate orders taking into account the recommendations of the District Registrar. The respondents are directed to act on the recommendation of the third respondent as they can, in accordance with law after issuing notice to the petitioners and the fifth respondent. Such exercise shall be done within a



period of eight weeks from the date of receipt of a copy of this order.

7. With the above direction, the writ petition is disposed of. No costs.

WEB COPY

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

Asr

To

- 1.The Inspector General of Registration
Santhome, Chennai - 600 008
 - 2.The Deputy Inspector General of Registration
Salem, Salem District
 - 3.The District Registrar
Krishnagiri, Krishnagiri District
 - 4.The Joint I Registrar
Krishnagiri, Krishnagiri District
- +1 cc to M/s.S.Arokia Maniraj Advocate sr15926
+1 cc to the Government Pleader sr16361

W.P.No.14251 of 2018

aa07/04/2021