



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.08.2021

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

WP.No.15921/2021 & WMP.Nos.16821, 16822 & 16824/2021

[Video Conferencing]

J.Rajasekar

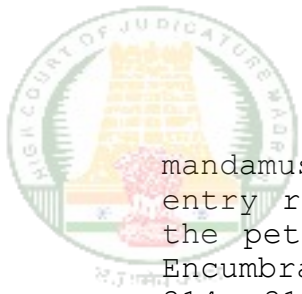
...Petitioner

Versus

1. The State of Tamil Nadu
rep.by Secretary to Government
Registration Department
Fort St George, Chennai 600 009.
2. The Inspector General of Registration,
Santhome High Road,
Mylapore, Chennai-4.
3. The Sub Registrar
Kinathukadavu, Coimbatore.
- 4.K.Srinivasan
- 5.S.Palanisamy
- 6.P.Sathasivam
- 7.P.Nanjundasamy
- 8.P.Kamalakannan
- 9.S.Thangaraj
- 10.T.Sureshkumar
- 11.G.Dhanalakshmi
- 12.S.Ramakrishnan
13. The Royal Lands & Nest
Cooperative Housing Society
rep.by its Director,
AP 873, D.No.11, 2nd Street
H Block, 12th Main Road
West Anna Nagar, Chennai 600 040.
14. The District Registrar
Registration Department
Coimbatore.

...Respondents

Prayer : - Writ Petition filed under Article 226 of the Constitution of India praying for a writ of certiorarified



mandamus calling for the entire records pertaining to making of entry regarding 'fraudulent registration' of the sale deed of the petitioner dated 12.04.2018 in Document No.2486/2018 in the Encumbrance Certificate pertaining to lands at Survey Numbers 314, 315, 318/1 and 319 to an extent of 9.90 cents situated in Nallatipalayam village, Kinnathukkadavu Taluk, Coimbatore District made by the 14th respondent, District Registrar, Registration department, Coimbatore and Letter No.4984/Aa1/2021 dated 08.06.2021 and quash/set aside the same consequently direct the 3rd respondent to remove or cancel the existing entry of 'fraudulent registration' from the Encumbrance Certificate and in the concerned books of Registers pertaining survey Nos.314, 315, 318/1 and 319 Nallatipalayam Village, Kinnathukkadavu, Coimbatore by considering the representation of the petitioner dated 12.07.2021 in accordance with law by following the principles of natural justice.

For Petitioner : Mr.C.Umashankar
For RR 1 to 3 & 14 : Mr.Yogesh Kannadasan
Government Advocate

ORDER

- (1) Mr.Yogesh Kannadasan, learned Government Advocate accepts notice on behalf of the respondents 1 to 3 and 14.
- (2) The writ petition has been filed in the nature of certiorarified mandamus with respect to an entry in the Encumbrance Certificate with respect to S.Nos.314, 315, 318/1 and 319, measuring an extent of 9.90 acres at Nallatipalayam Village, Kinnathukkadavu Taluk, Coimbatore. Such entry was made by the District Registrar, who has been impleaded as the 14th respondent herein. There was also a letter in Letter No.4984/Aa1/2021 dated 08.06.2021. It is claimed that the 3rd respondent had made an entry with respect to a Sale Deed dated 12.04.2018 registered as Document No.2486/2018 as Fraudulent Registration.
- (3) The petitioner is seriously aggrieved by it. The petitioner appears to have been at lis with, particularly the 13th respondent and there are also suits pending, more particularly OS.No.329/2020 on the file of the Court of District Munsif, at Pollachi.
- (4) In view of all these facts, let me restrain myself from delving deep into the facts, but rather, directing issuance of a mandamus to the 14th respondent/District Registrar, Registration Department, Coimbatore, to examine the representation given by the petitioner dated 12.07.2021, issue notice to the petitioner and to anyone of the rival



WEB COPY

parties including the contesting respondents, who are questioning the right, title and interest of the petitioner over the property, examine all concerned, examine the records and pass a considered order on the basis of the said representation. The said exercise should be completed within a period of twelve weeks from the date of receipt of a copy of this order.

- (5) The writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

To

1. The Secretary to Government
State of Tamil Nadu
Registration Department
Fort St George, Chennai 600 009.
2. The Inspector General of Registration,
Santhome High Road,
Mylapore, Chennai-4.
3. The Sub Registrar
Kinathukadavu, Coimbatore.
4. The District Registrar
Registration Department
Coimbatore.
5. The Director,
The Royal Lands & Nest
Cooperative Housing Society
AP 873, D.No.11, 2nd Street
H Block, 12th Main Road
West Anna Nagar, Chennai 600 040.

+1 CC to Mr.C.Umashankar, Advocate, Sr.No. 37806.

WP.No.15921/2021

NK(CO)
LS(24/08/2021)