



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2021

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.NO.17712 OF 2021

&

W.M.P.NO.18878 OF 2021

Shanmugasami Raju

... Petitioner

.Vs.

1. The Inspector General of Registration,
No.100, Santhome High Road,
R.A.Puram, Chennai - 600 028.

2. The Sub Registrar,
Guduvancheri Sub Registrar Office,
Kancheepuram District

3. The District Registrar [Admin]
District Registrar Office No.17,
Rajaji Street, Chengalpat H.O.,
Chengalpat - 603 001.

... Respondents

PRAYER:-

Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to conduct enquiry and cancel the forged sale deed dated 27.10.2016 under Document No.12015 of 2015, registered on the files of the 2nd respondent herein and consequential cancellation of Memorandum of Deposit of Title deed dated 06.01.2017 under Document No.98 of 2017 on the files of the 2nd respondent herein in respect of the property bearing plot no.471 comprised in S.No.105, situated in Madurai Meenakshipuram, No.8, Ayyancherry Village, Chengalpet Taluk, being approved in DTCP No.84/119/LP.103 vide Rc No.2495 of 1984 dated 16.06.1984 and pass further orders.

For Petitioner : M/s.Hema Muralikrishnan

For Respondents : Mr.Yogesh Kannadasan
Government Advocate



police complaint was also lodged on 20.01.2020 for the criminal act committed by them and the same is pending, however no action has been taken by the respondents. Since the respondents have not acted in accordance with the Circular no.41530/U1/2017 dated 31.07.2018 [instructions issued by the Inspector General of Registration with regard to the procedure to be adopted and enquiry to be conducted on receipt of such objections in respect of fraudulent/forged sale deeds], this petition has been filed by the petitioner.

5. The learned counsel for the petitioner submitted that the said Anand, who was impersonated as the petitioner had also obtained financial assistance from the Hongkong and Shanghai Banking Corporation Limited with the help of the bogus and forged sale deed and executed Memorandum of Deposit of title deeds pertaining to the said property on 06.01.2017, however without even ascertaining the validity of the title and other details has allegedly lent money to the third respondent and obtained the Memorandum of deposit of title deeds.

6. Heard the learned Government Advocate appearing on behalf of the respondents on the submissions of the learned counsel for the petitioner.

7. On going through the documents filed by way typed set of papers before this Court it could be seen that the sale deed was executed by the Shastri Bhavan Staff House Site & Welfare Society in favour of the petitioner on 01.06.1985 and Patta no.733 was also granted in favour of the petitioner and it is alleged by the petitioner that one Anand by impersonating himself as the petitioner, alleged to have executed forged sale deed dated 27.10.2016 in respect of the subject property of the petitioner. Further, the District Registrar (Admin), Chengalpet was impleaded as a 3rd respondent on 02.09.2021 by way of a Implead Petition. Further, it also appears that the petitioner has not submitted any representation, narrating the facts to the respondents.

8. In the light of the above, there shall be a direction to the petitioner to submit a detailed representation along with necessary documents to the respondents within a period of two weeks from the date of receipt of copy of a order for redressing his grievances and the concerned authority, after issuing notice to the petitioner as well as to the parties concerned and after hearing the parties and by following the circulars/guidelines issued by the Inspector General of Registration, shall pass appropriate orders on the representation to be submitted by the petitioner on merits and in accordance with law within a period of four months thereafter.



With the aforesaid direction, the present Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

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Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

ssd

To

1. The Inspector General of Registration,
No.100, Santhome High Road,
R.A.Puram, Chennai - 600 028.
2. The Sub Registrar,
Guduvancheri Sub Registrar Office,
Kancheepuram District.
3. The District Registrar [Admin]
District Registrar Office No.17,
Rajaji Street, Chengalpat H.O.,
Chengalpat - 603 001.

+lcc to Mr.L.Murali Krishnan, Advocate, S.R.No.46830
+lcc to the Government Pleader, S.R.No.47181

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GJ(CO)
PBS/11/10/2021