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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.20825 of 2021

Ramesh

...Petitioner

Vs

1. The Secretary to Government,
Commercial Taxes and Registration Department,
Secretariat, Chennai - 600 009.
2. The Inspector General of Registration,
Registration Department,
No.100, Santhome High Road,
Raja Annamalaipuram,
Chennai - 600 028.
3. The District Collector,
Tirupur District,
Collectorate Building,
Tirupur.
4. The Deputy Inspector General of Registration,
Coimbatore Zone, Registration Department,
6/1, G.R.D.Road, Redfields,
Coimbatore - 641 018.
5. The District Registrar (Admin.),
Registration Department,
82, Raj Complex,P.N.Road, Tirupur,
Tirupur District.
6. The Tahsildar,
Avinashi Taluk,
Avinashi - 641 654,
Tirupur District.
7. The Sub Registrar,
Avinashi Sub - Registration Office,
6/171, Post Office Road,
Avinashi Main Road,
Avinashi - 641 654,
Tirupur District.



8. M/s.K.P.R.Mill Limited
Rep. by its Managing Director K.P.R.Sigamani,
Shrovari Srimut, 1045, Avinashi Road,
Coimbatore - 641 018.

9. M/s.ICICI Bank Limited,
Coimbatore Branch,
Coimbatore - 641 001.

...Respondents

Prayer : Writ Petition has been filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 5th respondent, who is the competent authority, to conduct enquiry on petitioner's petition dated 21.08.2021 relates to property of 5.01 acres in S.No.453/3, Patta No.219, Tekkalur Village, Avinashi Taluk, Tiruppur District as per the circular 'Letter No.41530/U1/2017, dated 08.11.2017' issued by the 2nd respondent and if fraudulent registration is proved in such enquiry, and it has become final, the same has to be recorded in the relevant register and it must be reflected in the Encumbrance Certificate as per the instruction issued in the circular Letter No.20217/U1/2021 dated 09.07.2021 of the 2nd respondent, besides which to initiate criminal prosecution against the fraudsters.

For Petitioner : Mr.S.Pushpakaran

For Respondents: Mr.Yogesh Kannadasan,
1 to 7 Government Advocate

O R D E R

This writ petition has been filed to issue a Writ of Mandamus directing the 5th respondent, who is the competent authority, to conduct enquiry on petitioner's petition dated 21.08.2021 relates to property of 5.01 acres in S.No.453/3, Patta No.219, Tekkalur Village, Avinashi Taluk, Tiruppur District as per the circular 'Letter No.41530/U1/2017, dated 08.11.2017' issued by the 2nd respondent and if fraudulent registration is proved in such enquiry, and it has become final, the same has to be recorded in the relevant register and it must be reflected in the Encumbrance Certificate as per the instruction issued in the circular Letter No.20217/U1/2021 dated 09.07.2021 of the 2nd respondent, besides which to initiate criminal prosecution against the fraudsters.

2. Mr.Yogesh Kannadasan, learned Government Advocate for the respondents 1 to 7 submitted that on receipt of the petitioner's petition dated 21.08.2021, the 5th respondent taken on file for enquiry in Ref.No.191/B5/2021 and issued notice to the opposite



parties for the enquiry to be held on 01.11.2021. On 01.11.2021, the opposite parties appeared and sought time to file their written objections.

3. Considering the above submission, the 5th respondent is directed to complete the enquiry and pass orders on merits and in accordance with law after giving opportunity of hearing to the parties concerned in Ref.No.191/B5/2021 within a period of twelve weeks from the date of receipt of a copy of this order.

4. With the above directions, this writ petition is disposed of. No order as to costs.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

rna

To

1. The Secretary to Government,
Commercial Taxes and Registration Department,
Secretariat, Chennai - 600 009.
2. The Inspector General of Registration,
Registration Department,
No.100, Santhome High Road,
Raja Annamalaipuram,
Chennai - 600 028.
3. The District Collector,
Tirupur District,
Collectorate Building, Tirupur.
4. The Deputy Inspector General of Registration,
Coimbatore Zone, Registration Department,
6/1, G.R.D.Road, Redfields,
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5. The District Registrar (Admin.),
Registration Department,
82, Raj Complex,
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6. The Tahsildar,
Avinashi Taluk,
Avinashi - 641 654,
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7. The Sub Registrar,
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Avinashi Main Road,
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8. The Managing Director K.P.R.Sigamani
M/s.K.P.R.Mill Limited
Shrovari Srimut, 1045,
Avinashi Road,
Coimbatore - 641 018.

9. M/s.ICICI Bank Limited,
Coimbatore Branch,
Coimbatore - 641 001.

+1cc to Mr.S.Pushpakaran, Advocate, S.R.No.58251

+1cc to the Government Pleader, S.R.No.58036

W.P.No.20825 of 2021

NK(CO)
RGA(26/11/2021)