



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2021

CORAM:

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.NO.21841 OF 2021

V.Marithurai

... Petitioner

Versus

1. The Inspector General of Registration,
Registration Department,
No.100, Santhome High Road,
Chennai - 28.

2. The District Registrar,
Registration Department,
Tenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the second respondent to conduct Swift enquiry on the petitioner's petition dated 23.08.2021 forwarded by the first respondent.

For Petitioner : Mr.R.C.Manoharan

For Respondents : Mr.Yogesh Kannadasan,
Government Advocate

ORDER

This writ petition has been filed seeking for a direction to the second respondent to conduct swift enquiry on the petitioner's petition dated 23.08.2021 forwarded by the first respondent.

2. The case of the petitioner is that his great grandfather viz., Subbiah @ Susaiappa Devar possessed punjai lands Kazhuneerkulam Village lying in Survey No.426/2A in Patta No.1822 measuring to an extent of 1.20.00 hectares. As legal heirs of the said Subbiah, the petitioner and others jointly are in possession and enjoyment of the property. Now, the legal



heirs of the sister of his great grandfather's father, who had been allotted punjai lands Kazhuneerkulam Village lying in Survey No.426/2B1 which were sold by them and now laying hands in the petitioner's ancestral property of punjai lands in Survey No.426/2A in Patta No.1822 measuring to an extent of 1.20.00 and creating fraudulent settlement deeds and partition deeds. In this regard, the petitioner sent a representation dated 23.08.2021 to the first respondent with all the Revenue Records to show that those fraudulent documents were registered without the knowledge of the petitioner and the same was received by the first respondent on 24.08.2021. Thereafter, the petitioner came to know about the fraudulent documents and the entry of their name in his property while approaching the Village Administrative Officer. Hence, it is necessary to initiate swift action against the parties indulged in the fraudulent registration. After receiving the petitioner's representation along with all necessary documents, the respondents have not taken any steps. Hence, the petitioner has come forward with the present writ petition.

3. The learned counsel appearing for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the second respondent to conduct swift enquiry on the petitioner's petition dated 23.08.2021 forwarded by the first respondent and pass appropriate orders within a stipulated time that may be framed by this Court.

4. Having regard to the limited scope of the prayer that is now sought in this writ petition before this Court and taking into account the submissions made on either side, without expressing any opinion on the merits of the petitioner's representation or the case pleaded by the petitioner in the present writ petition, the Writ Petition is disposed of, second respondent is hereby directed to consider the petition dated 23.08.2021 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner and to conduct swift enquiry within a period of four months from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

sp/msm



To

1. The Inspector General of Registration,
Registration Department,
No.100, Santhome High Road,
Chennai - 28.

2. The District Registrar,
Registration Department,
Tenkasi District.

+lcc to the Government Pleader, S.R.No.55870

W.P.No.21841 of 2021

PCH(CO)
RLP(02/12/2021)