



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.10.2021

CORAM:

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.NO.22090 OF 2021

Venkatanarayanan

...Petitioner

Versus

1.Inspector General of Registration,
100, Santhome High Rd,
Mullima Nagar, Mandavelipakkam,
Raja Annamalai Puram,
Chennai - 600 028.

2.The District Registrar (Administration),
Cadre of Assistant Inspector General of Registration,
District Registrar Office, South Chennai,
Chennai - 600 035.

3.The Sub-Registrar,
Sub-Registrar Office,
Poonamallee, Chennai - 600 056.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of mandamus, directing the 1st respondent to consider the representation letter dated 03.08.2021, conduct enquiry and pass appropriate orders in a time framed manner.

For Petitioner : Mr.S.Thankira

For Respondents : Mr.Yogesh Kannadsan
Government Advocate for R1

O R D E R

This writ petition is filed for the issuance of a writ of mandamus directing the 1st respondent to consider the petitioner's representation dated 03.08.2021, conduct enquiry and pass appropriate orders in a time framed manner.

2. The case of the petitioner is that he purchased a property comprised in Punja Survey No:39/4 measuring an extent of 0.06.5 Ares, nil acre 16 cents, situated at Vayalanallur Village, Poonamallee Taluk, Thiruvallur District vide Document No.682/2020 dated 13.02.2020 registered in the office of the



third respondent. It is stated that the petitioner executed a Power of Attorney in favour of one Sathish Kumar vide Document No:2061/2020 dated 01.10.2020 SRO Poonamallee, without getting any sale consideration or advance amount. It is further stated that the petitioner handed over the original documents to Sathish Kumar and that being so, the said Sathish Kumar and Ramanan along with Vignesh did not arrange to sell the petitioner's property. When the petitioner asked to return the original documents, the same was refused by Sathish Kumar, Ramanan and Vignesh. It is stated that the petitioner gave a complaint to the Commissioner of Police on 06.07.2021. Further, on 07.07.2021, the petitioner approached the S.R.O.Poonamallee to stop further sale of the petitioner's property and cancel the Power of Attorney executed by the petitioner in favour of Sathishkumar. It is further stated that the S.R.O. Poonamallee asked the petitioner to give a written complaint. It is submitted that the petitioner submitted a representation dated 03.08.2021 to the first respondent to conduct enquiry and cancel the sale deed executed by Sathish Kumar in favour of third party. Since, no action was taken on the part of the respondents, left with no other alternative remedy, the present Writ Petition is filed.

3. Learned counsel for the petitioner submitted that act of non-perusal of the documents submitted to the first respondent amounts to dereliction of duty. He further submitted that the act of delay on the part of first respondent pave way for third parties to further encumber the petitioner's property.

4. Learned Government Advocate appearing for the respondents submitted that this Court may direct the first respondent to consider the petitioner's representation dated 03.08.2021 and the first respondent may consider the same and pass orders.

5. Without expressing any opinion on the merits of the petitioner's case, this Court directs the first respondent to consider the petitioner's representation dated 03.08.2021 and after conducting enquiry and affording sufficient opportunities to the parties of being heard, pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-VII)

// True Copy //

Sub Assistant Registrar

bkn



To

1.The Inspector General of Registration,
100, Santhome High Rd,
Mullima Nagar, Mandavelipakkam,
Raja Annamalai Puram,
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2.The District Registrar (Administration),
Cadre of Assistant Inspector General of Registration,
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3.The Sub-Registrar,
Sub-Registrar Office,
Poonamallee, Chennai - 600 056.

+1cc to M/s.S.Thankira, Advocate Sr.No.54156

+1cc to the Government Pleader Sr.No.55037

W.P.No.22090 of 2021

SMI (CO)
RVM(07/02/2022)