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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2021

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.NO.23242 OF 2021

Noor Nayeema Maraikayer

... Petitioner

.Vs.

1. The Inspector General of Registration,  
Registration Department,  
No.100, Santhome high Road,  
Mylapore, Chennai - 600 004

2. The District Registrar,  
Ramanathapuram District  
Ramanathapuram.

3. The Sub-registrar  
Kzhilakarai Sub-Registration Office,  
Ramanathapuram

4. Imtiaz Ahamed Maraikayer

5. Pramariya Hajar Marakaiyar

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1<sup>st</sup> respondent to conduct an enquiry based on the petitioner's representation dated 24.07.2021 under the provisions of the Registration (Tamilnadu Second Amendment) Act, 2021 and conclude the same within a time stipulated by this Court.

For Petitioner : Mr.A.Ilayaperumal for  
Mr.R.Rajeshkrishnan

For Respondents : Mr.V.Veluchamy for R1 to R3  
Government Advocate

O R D E R

The present Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus



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directing the 1<sup>st</sup> respondent to conduct an enquiry based on the petitioner's representation dated 24.07.2021 under the provisions of the Registration (Tamilnadu Second Amendment) Act, 2021 and conclude the same within a time stipulated by this Court.

2. The case of the petitioner is that the petitioner's mother, viz., Hathijathul Fathima is the absolute owner of the property measuring an extent of 1513 sq.ft., comprised in New S.No.554/14, Old S.No.469/6B situated at Old Ward No.15, New Ward No.4, East Street, Kzhilakarai Town, Ramanathapuram Taluk, well within the Sub-Registration District of Kizhlakarai and Ramanathapuram and she purchased the property from one Syed Umar Ameen Ummal through Sale deed dated 31.07.1986. After the purchase of the said property, the petitioner's mother intended to settle the property to the petitioner, due to her health issues, she executed a general power of attorney deed dated 28.08.2008 in favour of J.Sintha Mathar, husband of the petitioner and the same was registered as document no.1864 of 2008 and there are specific clauses in the said deed to settle the said property in favour of the petitioner. When the petitioner verified the Encumbrance certificate, she came to know that the 4<sup>th</sup> respondent has executed two forged and fraudulent settlement deeds dated 26.03.2014 and 12.05.2014 in favour of the 5<sup>th</sup> respondent and the same was registered before the 3<sup>rd</sup> respondent as Document Nos.971 and 1305 of 2014. Thereafter, the petitioner has made application through RTI to the 2<sup>nd</sup> respondent and the same was forwarded to the 3<sup>rd</sup> respondent and in turn, a reply was received on 04.01.2021. By narrating all the illegal acts, the petitioner has sent a representation dated 24.06.2021 to the 1<sup>st</sup> respondent, however the same was not considered and another representation dated 24.07.2021 was also sent to the 1<sup>st</sup> respondent by the petitioner, since the same were not considered, the petitioner is before this Court.

3. The learned counsel for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the 1<sup>st</sup> respondent to consider the petitioner's representation dated 24.07.2021 and dispose of the same within a stipulated time that may be framed by this Court.

4. Mr.V.Veluchamy, learned Government Advocate appearing for the respondents 1 to 3, on instructions from the officer of the respondents/Departments submitted that a direction may be issued to the 1<sup>st</sup> respondent to consider the prayer of the petitioner and twenty weeks time may also be granted to the respondents to consider the same.



5. Having regard to the limited scope of the prayer that is now sought for 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 case pleaded by the petitioner in the present Writ Petition, the Writ Petition is disposed of, with a direction to the 1<sup>st</sup> respondent to consider the petitioner's representation dated 24.07.2021 under the provisions of the Registration Act, 2021 (Tamil Nadu Second Amendment) and pass appropriate orders, on merits and in accordance with law within a period of twenty weeks from the date of receipt of a copy of this order. No costs.

Sd/-  
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

ssd

To

1. The Inspector General of Registration,  
Registration Department,  
No.100, Santhome high Road,  
Mylapore, Chennai - 600 004
2. The District Registrar,  
Ramanathapuram District  
Ramanathapuram.
3. The Sub-registrar  
Kzhilakarai Sub-Registration Office,  
Ramanathapuram.

+1cc to Mr.A.Ilayaperumal, Advocate, S.R.No.55710  
+1cc to the Government Pleader, S.R.No.56624

W.P.No.23242 of 2021

RR(CO)  
PM/26/11/2021