



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2021

CORAM

THE HONOURABLE Mr. JUSTICE G.K.ILANTHIRAIYAN

WP.No.23681 of 2021

Thillai @ Thillainayagi Ammal

...Petitioner

Vs

1. The District Collector,
Chennai District
2. The District Revenue Officer,
Chennai District
3. The Revenue Divisional Officer,
Central Chennai Division,
Thirumangalam,
Chennai District
4. The Sub Registrar,
Sub Registrar Office,
Kodambakkam,
Chennai
5. Samundeeshwari

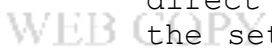
...Respondents

Prayer :- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents 1 to 4 to conduct the enquiry and cancel the settlement deed document No.1890 of 2014 duly registered in SRO, Kodambakkam dated 23.05.2014 and the property situated at D.No.6/14, Anna Nedumpathai, Selva Vinayagar Kovil Street, Puliur, Choolaimedu, Chennai comprised in survey No.102/2 admeasuring an extent of 1800 sq.ft. with considering the petitioner's representation dated 27.09.2021.

For Petitioner : Mr.M.Karthik

For Respondents

For R1 to 4 : Mr.A.Selvendran,
Government Advocate



ORDER

This writ petition is filed to issue a Writ of Mandamus to direct the respondents 1 to 4 to conduct the enquiry and cancel the settlement deed document No.1890 of 2014 duly registered in SRO, Kodambakkam dated 23.05.2014 on the property situated at D.No.6/14, Anna Nedumpathai, Selva Vinayagar Kovil Street, Puliyur, Choolaimedu, Chennai comprised in survey No.102/2 admeasuring an extent of 1800 sq.ft. with considering the petitioner's representation dated 27.09.2021.

2. The case of the petitioner is that the petitioner has two sons and one daughter. She had constructed a house at D.No.6/14, Anna Nedumpathai, Selvavinayagar Kovil, Choolaimedu, Chennai in survey No.102/2 admeasuring 1800 sq.ft. She had rented out a portion of the house for her personal needs. While being so, the fifth respondent who is being the daughter of the petitioner, along with her family members had joined with the petitioner and living together. According to the petitioner, the fifth respondent quoted sweet-quoted words and assured to take care of her health and life in future and the petitioner had settled the property by the settlement deed dated 18.10.2006 registered vide document No.4097 of 2006. However, she was not maintained by the fifth respondent and in fact she looted all her savings and other earnings. In fact, the fifth respondent also demanded share in respect of other property which was purchased by the petitioner by the registered sale deed vide document No.7148 of 1990 comprised in survey No.308/2D, 4, 5, 309/4, 309/2, 309/5 and 309/8 situated at plot No.98, Eshwaran Nagar, Vellanoor Village. The fifth respondent cheated the petitioner and obtained power document in stead of sale deed. Therefore, the petitioner also lodged complaint and on receipt of the same, she was issued CSR.No.614 of 2021 dated 18.08.2021 on the file of the Inspector of Police, Choolaimedu Police Station, Chennai. In this regard, she had submitted representation to the Inspector General of Registration and other authority concerned for taking action as against the fifth respondent. Though the petitioner made allegation as against the fifth respondent, she had sent representation only to the respondents 1 to 3 herein, thereby requested to take action as against the fifth respondent.

3. Therefore, if the petitioner has any grievance over the execution of settlement deed in favour of the fifth respondent and the execution of the power of attorney in favour of the fifth respondent, she can make fresh representation before the District Registrar for fraudulent registration of those documents.



4. Hence, the petitioner is directed to submit a fresh representation before the authority concerned, if so advised, within a period of two weeks from the date of receipt of copy of this order. On receipt of such representation, the authority concerned i.e. the District Registrar is directed to consider the same and pass orders after giving opportunity of hearing to all the parties concerned on merits and in accordance with law within a period of twelve weeks thereafter.

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

Sd/-
Assistant Registrar(CS III)

/True Copy//

Sub Assistant Registrar

lok

To

1. The District Collector,
Chennai District.
2. The District Revenue Officer,
Chennai District.
3. The Revenue Divisional Officer,
Central Chennai Division,
Thirumangalam,
Chennai District.
4. The Sub Registrar,
Sub Registrar Office,
Kodambakkam,
Chennai.

+1cc to the Government Pleader, S.R.No.57631

WP.No.23681 of 2021

NK[co]
NSK 25/11/2021