



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2021

CORAM:

THE HON'BLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P. No.22969 of 2021

and

W.M.P. No.24178 of 2021

R.Murugesan

... Petitioner

-Vs-

1. The Deputy Inspector General Registration,
1st Floor, Kamaraj Road, Redfields,
Puliyakulam, Coimbatore.
2. The Deputy Inspector General Registration,
Integrated Complex of Registration Department,
TNAU Nagar, Rajagampeeram, Y.Othakadai,
Madurai.
3. The District Registrar,
Office of the District Registrar,
Collector Office Complex,
Coimbatore - 641 018.
4. The District Registrar (Admin)
District Registrar Office,
No.171, Palace Road,
Madurai South Registration District,
Madurai- 625 001.
5. The Sub-Registrar,
Singanallur Sub-Registrar Office,
Sinthaamanipudur, Coimbatore-641 005.
6. The Joint-1 Sub-Registrar,
Madurai South,
No.171, Palace Road, Madurai.
7. Mr. C. Dhanapalan

... Respondents

PRAYER: This Petition is filed under Article 226 of the Constitution of India, praying for the issue a Writ of Mandamus, directing the 3rd respondent to conduct the detailed enquiry by



cancelling the fraudulent Sale Deed vide Document No.922 of 2021 dated 23.12.2020 and to clear the entry in the encumbrance of the Subject property by considering the petitioner's representation dated 02.08.2021 and pass appropriate orders accordingly.

For Petitioner : Mr. B. Thirumalai

For Respondents 1-6 : Mr.Yogesh Kannadasan
(Government Advocate)

O R D E R

The relief sought for in this writ petition is for a direction to the 3rd respondent to conduct the detailed enquiry by cancelling the fraudulent Sale Deed vide Document No.922 of 2021 dated 23.12.2020 and to clear the entry in the encumbrance of the Subject property by considering the petitioner's representation dated 02.08.2021 and pass appropriate orders accordingly.

2. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondent 1 to 6 as well as perused the material available on records.

3. Having considered the facts and circumstances of the case and submissions made by the learned counsel on either side, it is seen that the 7th respondent fraudulently has created and registered Sale Deed dated 23.12.2020 vide Document No.922 of 2021 on the file of the SRO, Singanallur, Coimbatore, while the petitioner is the owner of the property in Survey No.745 Part, Site No.27 at Door No.5/7B, Nesavalur Nagar, Ondipudur, Coimbatore measuring an extent of 1921 Sq.ft. In the event of trying to create further encumbrance with the help of the 5th respondent, the petitioner gave a representation dated 23.12.2020 to the 3rd respondent to conduct a detailed enquiry and to cancel the aforesaid fraudulent sale deed. There is no action taken nor reply given on his representation dated 23.12.2020 so far, the respondents are hereby directed to consider the representation dated 23.12.2020 made by the petitioner herein within a period of Sixteen Weeks from the date of receipt of copy of this order in accordance with law after affording sufficient opportunity to the petitioner herein. It is made clear that this Court has not expressed any opinion with regard to the merits of the case.

4. With the aforesaid directions, the present Writ petition



is allowed. Consequently, connected miscellaneous petition is closed if any. No costs.

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Sd/-
Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

Lbm

To:

1. The Deputy Inspector General Registration,
1st Floor, Kamaraj Road, Redfields,
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Madurai South, No.171, Palace Road, Madurai.

+1cc to Mr.B,Thirumalai, Advocate, S.R.No.55197

+1cc to the Government Pleader, High Court, Madras, S.R.No.56214

W.P. No.22969 of 2021
and
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SJ(CO)
SU(21/12/2021)