



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 29.10.2021

CORAM:

WEB COPY

THE HON'BLE MRS. JUSTICE V.BHAVANI SUBBAROYAN
W.P. No.23348 of 2021

S.Shanmuga Priyan

... Petitioner

-Vs-

1.The Inspector General of Registration,
Santhome, Chennai - 600 028.

2. The District Registrar,
Salem West Registration District,
O/o. Collectorate,
Salem District - 636 001.

3. The Sub-Registrar,
SRO, Mecheri,
Mettur Taluk,
Salem District.

... Respondents

PRAYER: This Petition is filed under Article 226 of the Constitution of India, praying for the issue a Writ of Mandamus, directing the respondents to consider the petitioner's representations dated 11.09.2021 to cancel the fraudulent registration documents as per the guidelines issued by the 1st respondent's circular in Letter No.20217/U12021, dated 09.07.2021 and pass appropriate orders within a time frame as fixed by this Court.

For Petitioner
For Respondents

:: Mr. T.Sundaravadanam
:: Mr.Yogesh Kannadasan
(Government Advocate)

* * * * *

O R D E R

The relief sought for in this writ petition is for a direction to the respondents to consider the petitioner's representations dated 11.09.2021 to cancel the fraudulent registration documents as per the guidelines issued by the 1st respondent's circular in Letter No.20217/U12021, dated 09.07.2021 and pass appropriate orders within a time frame as fixed by this Court.

2. Heard Mr.T.Sundaravadanam, the learned counsel for the petitioner and Mr. Yogesh Kannadasan, the learned Government Advocate for the respondents 1 to 3 as well as perused the material available on records.



3. Having considered the facts and circumstances of the case and submissions of the learned counsel for both sides, it is seen that while the sale Deed dated 18.07.1983 in Document No.580/1983 was executed in favour of the petitioner herein, the same was canceled by virtue of cancellation of Settlement Deed dated 26.09.1986 in Document No.894/1986 by an impersonated person with false signature along with left thumb impression with variation as per the information furnished by the Registration Department on 01.09.2021. Pursuant to the cancellation of the said settlement Deed, the property settled by the Original owner was transferred to various parties by virtue of various registered documents. vide Document No.894/1986 dated 26.09.1986, Document No.8/1993 dated 08.01.1993, Document No.678//2009 dated 09.03.2009 and Document No.1433/2014 dated 21.04.2014. After coming to know about this registration of documents in a fraudulent manner, the petitioner has made a representation dated 09.07.2021 before the 2nd respondent to cancel the forgery documents registered by way of fraudulent manner without any valid title. There is no action taken and reply given on his representation dated 09.07.2014 till date. In this regard, the 1st respondent has issued a Circular No.20217/U1/2021 dated 09.07.2021 and Letter dated 11.08.2021 in Reference No.25644/C1/2021 for conducting enquiry upon the fraudulent documents and canceling the same. Hence, this Court without expressing any opinion with regard to the merits of the case, directs the respondents to consider the representation dated 11.09.2021 made by the petitioner herein and pass appropriate orders after holding enquiry in this regard within a period of four months from the date of receipt of copy of this order after affording sufficient opportunity to the petitioner herein.

4. With the aforesaid directions, the Writ petition is disposed of accordingly. Consequently, connected miscellaneous petition is closed if any. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

Lbm

To:

1.The Inspector General of Registration,
Santhome, Chennai - 600 028.



2. The District Registrar,
Salem West Registration District,
O/o. Collectorate,
Salem District - 636 001.

WEB COPY

3. The Sub-Registrar,
SRO, Mecheri,
Mettur Taluk,
Salem District.

+1 cc to Mr.T.Sundaravadanam, Advocate Sr.NO. 56402

+1 cc to Government Pleader Sr.NO. 57136

W.P. No.23348 of 2021

JPL(CO)

A.SK(27.12.2021)