



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) No.8066 of 2021
(Through Video Conference)

WEB COPY

P.Rajagopal

...Petitioner

V s.

1) The Inspector General of Registration,
Tamil Nadu Registration Department,
Chennai.

2) The District Registrar,
The District Registration Office,
Collectorate Buildings,
Kokkirakulam,
Tirunelveli - 627 009

3) The Sub Registrar,
Sub Registrar Office,
Palayamkottai,
Tirunelveli.

4) Periyasamy

5) Anthony

... Respondents

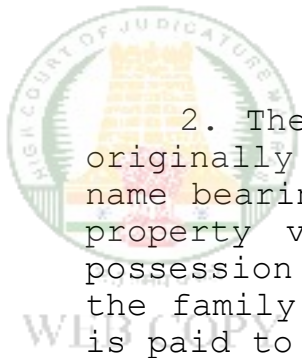
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent to consider the petitioner's representation dated 12.02.2021 to take appropriate action as per the 1st respondent Circular in Letter No.41530/U1/2017 dated 31.07.2018 under Sections 68(2) and 69 of the Registration Act, 1908 and make entry in the document Nos.3673 of 2020, 3674 of 2020, 3675 of 2020 dated 17.08.2020 as illegal and pass such further or other orders as this Court.

For Petitioner : Mr.Aayiram K.Selvakumar

For RR 1 to 3 : Mr.K.Sathiyasingh,
Additional Government Pleader

O R D E R

This Writ Petition has been filed for the issue of Writ of Mandamus directing the second respondent to consider the representation made by the petitioner on 12.02.2021 and take action in accordance with the Registration Act and the Circular issued by the first respondent dated 31.07.2018.



2. The case of the petitioner is that the subject property was originally owned by his grandfather and the Patta also stood in his name bearing Patta No.175. After the demise of his grandfather, the property vested on the father of the petitioner and he was in possession and enjoyment of the same. According to the petitioner, the family is enjoying the property and necessary taxes and revenue is paid to the concerned Authority.

3. The further case of the petitioner is that the 4th & 5th respondents without any semblance of right over the subject property had created documents and the same was also registered on the file of the third respondent. According to the petitioner, these documents are fraudulent transfers made with an intention to grab the property. The petitioner, therefore made a complaint before the second respondent on 12.02.2021 and sought for taking action against the 4 and 5 respondents in line with the provisions of the Registration Act and the Circular issued by the first respondent dated 31.07.2018. Since the same did not evoke any response, the present writ petition has been filed before this Court seeking for appropriate directions.

4. Heard Mr.Aayiram K.Selvakumar, learned counsel for the petitioner and Mr.K.Sathiyasingh, learned Additional Government Pleader appearing for the respondents 1 to 3.

5. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the second respondent to consider the representation / complaint made by the petitioner on 12.02.2021 and deal with the same strictly in accordance with law and the Circular issued by the first respondent, after affording an opportunity to the petitioner and 4th & 5th respondents and appropriate orders shall be passed within a period of eight(08) weeks from the date of receipt of a copy of this order.

6. The petitioner is directed to make a fresh representation to the second respondent along with all the relevant documents and also a copy of this order.

7. This Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS-II)

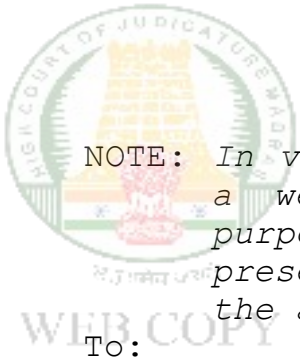
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/ /2021

Sub Assistant Registrar(CS)

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<https://hcservices.ecourts.gov.in/hcservices/>



NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

- 1) The Inspector General of Registration,
Tamil Nadu Registration Department,
Chennai.
- 2) The District Registrar,
The District Registration Office,
Collectorate Buildings,
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Tirunelveli - 627 009
- 3) The Sub Registrar,
Sub Registrar Office,
Palayamkottai,
Tirunelveli.

+1 CC to M/s.SPL GP (SR-16698[F] dated 20/04/2021)

Order made in
W.P. (MD) No.8066 of 2021

Dated:
19.04.2021

RK (28.04.2021) 3P 5C