



WEB COPY

W.P.(MD)No.8555 of 2021

V.Vinoth Pandiyan v. The Inspector General of Registration

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD)No.8555 of 2021

(Through Video Conferencing)

V.Vinothpandiyan

... Petitioner

Vs.

1.The Inspector General of Registration,
100 Santhome High Road
Raja Annamalaipuram
Chennai 600 028.

2.The District Registrar (Administration)
Madurai North
Rajakambeeram
Madurai District

3.The Sub Registrar,
Madurai North Registration Office,
Rajakambeeram
Madurai District.

4.M.Shiekh Dawood

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents 1 to 3 herein to take appropriate action as per the Circular issued by the first respondent in No.41530/U1/2017 dated 08.11.2017 in respect of the fraudulent registration and cancel the sale deed in Document No.3524/2009 on the basis of representation given by the petitioner dated 09.11.2020.

For Petitioner :Mr.G.Thalaimutharasu

For Respondent :Mr.K.Sathiya Singh

Additional Government Pleader

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the respondents to act upon the representation/complaint made by the petitioner on 09.11.2020 and pass orders in line with the Circular issued by the first respondent dated 08.11.2017.

2. The case of the petitioner is that the subject property originally belonged to the petitioner's great grandfather.

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



Thereafter the property vested with his father and other legal heirs. While so, power of attorney documents came to be executed in favour of one T.N.Subramanian in the year 2009 and the fourth respondent was one of the witness in this document. Pursuant to the same, a joint patta was also obtained and a sale deed was also executed in favour of the fourth respondent through a registered document dated 04.11.2009. According to the petitioner, none of these persons had any right or title over the property and the entire transaction was a fraudulent transaction aimed at grabbing the property.

3. The petitioner therefore made a representation/complaint before the respondents seeking for an enquiry. In the meantime, the petitioner also gave a police complaint, which resulted in the registration of an FIR in Crime No.124/21 against the above said persons and the investigation is pending.

4. The grievance of the petitioner is that the respondents have not acted upon the representation/complaint made by the petitioner on 09.11.2020. Aggrieved by the same, the present writ petition came to be filed before this Court for appropriate directions.

5. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 3.

6. 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 act upon the representation/complaint given by the petitioner on 09.11.2020 and deal with the same on its own merits and in accordance with law, after affording an opportunity to the petitioner and the fourth respondent and final orders shall be passed within eight weeks from the date of receipt of a copy of this order.

7. 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.

8. This writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



RR

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,
100 Santhome High Road
Raja Annamalaipuram
Chennai 600 028.
- 2.The District Registrar (Administration)
Madurai North
Rajakambeeram
Madurai District
- 3.The Sub Registrar,
Madurai North Registration Office,
Rajakambeeram
Madurai District.

+1 CC to M/s.SPL GP (SR-17716[F] dated 27/04/2021)

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RK(12.05.2021) 3P 5C