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W.P.(MD)No.8842 of 2021

S.Shanthi v. The Inspector General of Registration

BEFORE THE MADURAI BENCH OF MADRAS HIGH Court

DATED: 30.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD)No.8842 of 2021

(Through Video Conferencing)

S.Shanthi

... Petitioner

Vs.

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

2.The Additional Inspector General
of Registration
100 Santhome High Road,
Chennai.

3.The District Registrar
Registration Department
Karur Collectorate, Karur.

4.The Sub Registrar,
Velianai, Karur.

5.K.Natarajan

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the 3rd respondent to conduct the enquiry on the basis of the proceedings in Letter No.26365/U4/2020 dated 23.11.2020 issued by the 2nd respondent and pass orders within a time frame as fixed by this Court.

For Petitioner :Mr.R.M.Anbunidhi

For Respondents :Mr.K.Sathiya Singh

Additional Government Pleader

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the third respondent to conduct the enquiry based on the proceedings of the second respondent dated 23.11.2020 and pass final orders within the time limit fixed by this Court.

2.The case of the petitioner is that the subject properties were jointly purchased by virtue of a registered sale deed dated

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



01.02.2007. The grievance of the petitioner is that the fifth respondent has created a fraudulent sale deed with respect to the very same property by suppressing the earlier sale deed that was executed in favour of the vendor of the petitioner on 27.05.1993.

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3. The petitioner therefore made a complaint before the second respondent on 16.09.2020 to conduct an enquiry and to take action in accordance with law. The second respondent, by a letter dated 23.11.2020, directed the third respondent to enquire upon the complaint under Section 68(3) of the Tamil Nadu Registration Act. The grievance of the petitioner is that the third respondent has not acted upon the said communication and hence left with no other alternative, the present writ petition has been filed before this Court seeking appropriate directions.

4. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

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 third respondent to conduct an enquiry by giving opportunity to the petitioner and the fifth respondent and pass final orders strictly in accordance with law, within eight weeks from the date of receipt of a copy of this order. If there are any other interested parties claiming right over the subject property, they shall also be issued with notice and an opportunity shall also be given to them.

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

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

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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, Chennai 600 028.
- 2.The Additional Inspector General of Registration
100 Santhome High Road,
Chennai.
- 3.The District Registrar
Registration Department
Karur Collectorate, Karur.
- 4.The Sub Registrar,
Velianai, Karur.

+1 CC to M/s.GP (SR-18365[F] dated 03/05/2021)

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