



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.06.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD).No.10082 of 2021

and

W.M.P. (MD).No.7797 of 2021

...Petitioner

Vs.

1. The Inspector General of Registration,
No.100, Santhom High Road, Chennai-28.
2. The District Registrar (Administration),
No.52, Thenkarai, Periyakulam, Theni District.
3. The Sub Registrar,
Theni Sub Registrar's Office, Theni District.
4. The Sub Registrar,
Kadamalaikundu Sub Registrar's Office,
Theni District.
5. Shanmugathai
6. Shanmugaraja
7. Ganesh Pandiyan
8. Geetha
9. Gowri
10. Manikandan
11. Sivamanithayappan
12. Annaivel Meenatchi
13. Duraipandiyan
14. Devi
15. Kadavul
16. Inthirajith
17. Karpagam
18. Ammavasi

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to conduct an enquiry as per Circular of the Inspector General of Registration, Chennai, in Circular No.4153/U1/2017, dated 08.11.2017 and on the basis of the petitioner's representation, dated 29.04.2021 and take appropriate action against the culprits.

For Petitioner : Mr.T.Vadivelan

For R-1 to R-4 : Mr.M.Lingadurai
Government Counsel

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the second respondent to conduct an enquiry on



the representation made by the petitioner on 29.04.2021, wherein, the petitioner has sought for taking action against the private respondents on the ground that they have created bogus documents with respect to the subject properties.

2. The case of the petitioner is that the subject properties originally belonged to Thevaram Zamintharani Bangaruammal. Subsequently, these properties were partitioned through registered documents in the years 1960, 1970 and 2007. The further case of the petitioner is that there are Court decrees passed in favour of the predecessor in title and in fact, the decree went against the respondent Nos.5 to 14 herein.

3. The grievance of the petitioner is that the respondent Nos.5 to 14 created forged documents with a view to grab the subject property. These documents were submitted before the third and fourth respondents and it was also registered.

4. The petitioner aggrieved by the same, gave a complaint to the second respondent on 29.04.2021 seeking for conducting an enquiry as per Circular of the Inspector General of Registration and to take action against the private respondents. Since the same was not considered, the present Writ Petition has been filed before this Court seeking for appropriate directions.

5. Heard Mr.T.Vadivelan, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Government Counsel appearing for the respondents 1 to 4.

6. Taking into consideration the facts and circumstances of the case and without going into the merits of the case, there shall be a direction to the second respondent to consider the representation / complaint made by the petitioner on 29.04.2021 on its own merits and in accordance with law after affording opportunity to the petitioner and all the private respondents and pass final orders within a period of eight (08) 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 stands disposed of with the above directions. No costs. Consequently, the connected miscellaneous petition is closed.

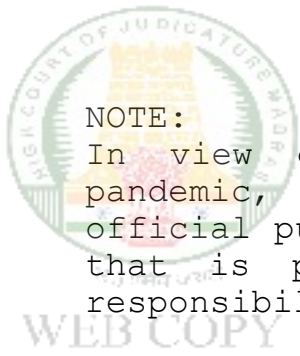
Sd/-

Assistant Registrar (CS III)

// 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.

Tsg

To

1. The Inspector General of Registration,
No.100, Santhom High Road, Chennai-28.
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3. The Sub Registrar,
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4. The Sub Registrar,
Kadamalaikundu Sub Registrar's Office,
Theni District.

+1 CC to M/s.SPL GP (SR-19548[F] dated 17/06/2021)
(SR-19528[F] dated 17/06/2021)

W.P. (MD) .No.10082 of 2021
15.06.2021

KK(23.06.2021) 3P 6C