



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.07.2021

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.12291 of 2021

Iruliah

... Petitioner

Vs.

1. The Inspector General of Registration,
100, Santhome High Road,
Chennai-600 028.
2. The Deputy Inspector General of Registration,
Combined Registrar Office,
Thirumohur Road, Othakadai,
Madurai-625 107.
3. The District Registrar / Administration,
Combined Registrar Office, Dindigul-624 004.
4. The Sub Registrar,
Sub Registrar's Office,
Batlagundu, Nilakkottai Taluk,
Dindigul District.
5. Thangathai

6. Sivakami

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the third respondent to consider the representation dated 23.07.2020 made by the petitioner relating to cancellation settlement deed bearing Document No.1314 of 2014, dated 28.03.2014 and sale deed bearing Document No.3331 of 2019, dated 18.10.2019, both illegally registered before the fourth respondent by fifth and sixth respondents in respect of five cents of land in Survey No.899 in Batlagundu Village Nilakkottai Taluk, Dindigul District.

For Petitioner : Mr.S.Vellaichamy

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

ORDER

This writ petition has been filed for the issue of a Writ of Mandamus, directing the third respondent to consider the representation made by the petitioner on 23.07.2020 and to pass orders within the time frame fixed by this Court.



2. The case of the petitioner is that the subject property measuring an extent of 47 cents was originally owned by his father and according to the petitioner, the husband of the fifth respondent had fraudulently obtained a Possession Certificate from the Village Administrative Officer and had managed to execute two settlement deeds in favour of the fifth respondent.

3. This was put to challenge and the District Registrar, by proceedings, dated 02.11.2015, had held that the transaction was fraudulent.

4. While so, the fifth respondent went ahead and registered a sale deed in favour of the sixth respondent on 18.10.2019. The petitioner has therefore given a complaint before the third respondent seeking for taking action against the fifth and sixth respondents and to pass necessary orders. Since the same was not considered, the present Writ Petition has been filed before this Court seeking for appropriate directions.

5. Heard Mr.S.Vellaichamy, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Government Advocate appearing for the respondents 1 to 4.

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 third respondent to consider the representation / complaint made by the petitioner on 23.07.2020 after affording opportunity to the petitioner and the respondents 5 and 6 and deal with the same on its own merits and in accordance with law and pass final orders within a period of 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 third 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.

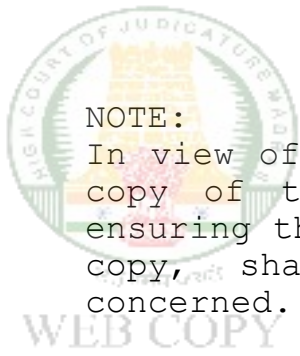
Sd/-

Assistant Registrar (CS I)

// 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 Deputy Inspector General of Registration,
Combined Registrar Office,
Thirumohur Road, Othakadai,
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4. The Sub Registrar,
Sub Registrar's Office,
Batlagundu, Nilakkottai Taluk,
Dindigul District.

+1 CC to M/s.GP (SR-23522[F] dated 22/07/2021)

W.P. (MD) .No.12291 of 2021

Dated :

20.07.2021

MGJ(30.07.2021) 3P 6C