



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.07.2021

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.12422 of 2021

O.Muniyandi

... Petitioner

Vs.

1.The Director General of Registration,
Nungampakkam, Chennai.

2.The District Registrar,
Registration Department,
Periyakulam, Theni District.

3.The Sub Registrar,
Aandipatti, Theni District.

4.Mookaiah

5.Bose

6.Thavasi

7.Chinna Perumal

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the 1st to 3rd respondents herein to cancel the forged documents in Document No.412 of 2011 and Document No.2846/2012 on the file of the 3rd respondent office with regard to petitioner's property in Survey No.309/3 to an extent of 1 acre 28 cents situated Puliman Kombai Village, Aandipatti Taluk, Theni District, based on petitioner's representation dated 17-03-2021.

For Petitioner : Mr.G.Gomathi Sankar

For R1 - R3 : Mr.M.Lingadurai
Government Advocate

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the second respondent to act upon the representation made by the petitioner on 17.03.2021, wherein the petitioner has alleged that a fraudulent transaction had taken place and documents have been registered in Document No.412 of 2011 and 2846 of 2012.

2.The case of the petitioner is that the subject property was originally owned by the grandfather of the petitioner, who inherited the same as HUF property. The further case of the petitioner is that subsequently the patta and other revenue documents stood in the name of the petitioner's father, Otcha Thevar, on the demise of his father and the petitioner and his brother inherited the property and



are in possession and enjoyment of the same. It is stated that the patta and other revenue documents were also changed in the name of the the petitioner and his brother.

3.The petitioner noticed that the fourth and fifth respondents had executed a sale deed in favour of the seventh respondent as if it was executed by the petitioner and his brother and thereby, had committed impersonation and fraud. The petitioner also gave a police complaint in this regard before the Inspector of Police, Andipatti.

4.The petitioner made a complaint before the second respondent seeking for taking action against the respondents 4 to 7. Since the same was not acted upon, the present writ petition has been filed before this Court seeking for appropriate directions.

5.Heard Mr.G.Gomathi Sankar, learned counsel for the petitioner and Mr.M.Lingadurai, learned Government Advocate for the respondents 1 to 3.

6.Taking into consideration the facts and circumstances of the case and the nature of the allegations that have been made by the petitioner in the complaint given to the second respondent, there shall be a direction to the second respondent to act upon the complaint given by the petitioner on 17.03.2021 and the subsequent complaint on 29.04.2021, after affording opportunity to the petitioner and the respondents 4 to 7 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 second respondent along with all the relevant documents and also a copy of this order.

8.In the result, the Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS-II)

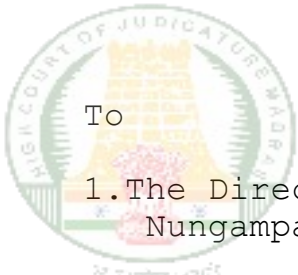
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/ /2021

Sub Assistant Registrar(CS)

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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



To

1.The Director General of Registration,
Nungampakkam, Chennai.

2.The District Registrar,
Registration Department,
Periyakulam, Theni District.

3.The Sub Registrar,
Aandipatti, Theni District.

+1 CC to M/s.G.GOMATHI SHANKAR, Advocate (SR-23770[F] dated
23/07/2021)

+1 CC to M/s.SPL GP (SR-24037[F] dated 27/07/2021)

W.P. (MD) .No.12422 of 2021

23.07.2021

RD(3.08.2021) 3P 6C