



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.13582 of 2021

M.Munnamalai

... Petitioner

versus

The Inspector General of Registration,
Santhom High Road,
Pattinapakkam,
Chennai.

... Respondent

Prayer:Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, directing the respondent to dispose the revision filed by the petitioner dated 06.07.2021 in the light of the order passed by this Cour in W.P(MD) No.10177 of 2021 dated 17.06.2021 within a time frame stipulated by this Court.

For Petitioner : Mr.Aayiram K.Selvakumar

For Respondent : Mr.R.Baskaran
Counsel for the State

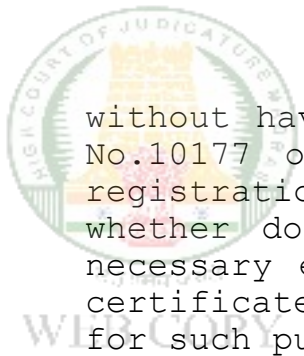
ORDER

The petitioner seeks the expeditious disposal of the revision filed by the petitioner on 06.07.2021 as against the order dated 23.09.2019.

2. The petitioner states that he is the owner of a property bearing Survey No.37/1B. It is alleged that a fraudulent sale deed was executed by the petitioner's uncle, Dhanasekar, and his son-in-law Ashok Kumar under Document No.5697/2010 dated 29.11.2010. The petitioner submitted a representation in this connection to the Sub Registrar, Madurai. Upon the rejection of his application on 05.03.2018, he filed an appeal before the respondent herein on 03.07.2018. The said appeal was rejected by order dated 23.09.2019. A revision was filed on 06.07.2021 on the basis of the order passed recently by this Court in W.P.(MD).No.10177 of 2021.

3. Mr.R.Baskaran, learned counsel for the State, accepts notice on behalf of the sole respondent.

4. The Registration Act and the rules framed thereunder do not appear to contain a provision for a revision if the order in appeal is passed by the Inspector General of Registration. Nevertheless, the contention of the petitioner is that such order was passed



without having the benefit of the order of this Court in W.P.(MD). No.10177 of 2021 dated 17.06.2021, whereby this Court held that registration authorities have the jurisdiction to inquire into whether documents were registered fraudulently and if so to make necessary entries in the relevant registers and in the encumbrance certificate. The petitioner states that the revision has been filed for such purpose.

5. In these facts and circumstances, it is not necessary for this Court to make a determination on the merits. Accordingly, the writ petition is disposed of by directing the respondent herein to consider the petitioner's revision petition dated 06.07.2021, including whether such revision is maintainable, and dispose of the same by a reasoned order after providing a reasonable opportunity to the petitioner and to the parties to the alleged fraudulent document. Such reasoned order shall be passed within a period of two months from the date of receipt of a copy of this order.

6. W.P.(MD).No.13582 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sbn

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

The Inspector General of Registration,
Santhom High Road,
Pattinapakkam,
Chennai.

+1 CC to M/s.GP (SR-25641[F] dated 09/08/2021)

W.P(MD)No.13582 of 2021

06.08.2021