



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.08.2021

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THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)No.14730 of 2021

C.Koodalingam

... Petitioner

Vs.

1.The Inspector General of Registration,
Chennai 600 028.

2.The District Registrar (Admin),
District Registrar Office, Virudhunagar 626 001.

3.The Sub Registrar,
Sub Registrar Office,
Kunnoor,
Virudhunagar District.

4.Subramanian

5.V.M.Sivaraj

6.Boomisekar

7.Gurunathan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent to dispose of petitioner's complaint dated 27.02.2020 and reminder letter dated 15.07.2021 as per the 1st respondent circular No.41530/U1/2017 dated 08.11.2017 and section 68(2) of Indian Registration Act, 1908 within stipulated time.

For Petitioner : Mr.M.Sathiamoorthy

For R1 to R3 : Mr.R.Baskaran
Counsel for State

ORDER

The petitioner seeks the expeditious disposal of a complaint made to the second respondent in respect of allegedly fraudulent documents executed by the private respondents herein.

2. The petitioner claims title to the property bearing Survey No.892/1B at Mangalam Village, Sivakasi Taluk, Virudhunagar District through his late grandfather. The petitioner alleges that, on applying for an Encumbrance Certificate recently, he became aware of three fraudulent transactions in respect of the Survey No.892/1B.



A complaint was carried to the second respondent in such regard on 27.02.2020. The present writ petition is filed for the expeditious disposal thereof.

3. Mr.R.Baskaran, learned counsel for the State, accepts notice on behalf of respondents 1 to 3. Without going into the merits of the matter, he has no objection to the expeditious disposal of the pending complaint.

4. The registration authorities do not have the power or the authority to decide questions of title. They also do not have the power to cancel registered instruments as on date. Subject to the above caveat, powers of inquiry in relation to impersonation, forgery and the like are vested in registration authorities in terms of the Registration Act 1908 and the Rules framed thereunder.

5. Subject to the above observations but without going into the merits of the matter, the second respondent herein is directed to consider the petitioner's complaint dated 27.02.2020 and dispose of the same within a period of four (4) months from the date of receipt of a copy of this order after providing a reasonable opportunity to the petitioner, the private respondents herein and any other person who would be affected by such decision.

6. Accordingly, W.P.(MD).No.14730 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg

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,
Chennai 600 028.



2.The District Registrar (Admin),
District Registrar Office,
Virudhunagar 626 001.

3.The Sub Registrar,
Sub Registrar Office,
Kunnoor,
Virudhunagar District.

+1 CC to M/s.SATHIAMOORTHY, Advocate (SR-26885[F] dated 23/08/2021)

+1 CC to M/s.GP (SR-26897[F] dated 23/08/2021)

W.P (MD) No.14730 of 2021
19.08.2021

RK (01.09.2021) 3P 6C