



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.11.2021

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) .No.19498 of 2021

R.Manikandan

... Petitioner

Vs.

1.The Inspector General of Registration,
O/o The Inspector General of Registration,
100, Santhom High Road,
Chennai.

2.The Deputy Inspector General of Registration,
Integrated Office of Registration,
Rajakambeeram, Othakadai,
Madurai District.

3.The District Registrar of Registration,
District Registrar Office,
Near J.C.Petrol Bulk,
Periyakulam,
Theni District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, by directing the respondents to consider the representation of the petitioner dated 01.10.2021 and within time stipulated by this Court.

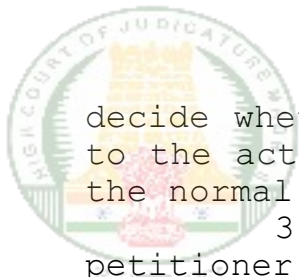
For Petitioner : Mr.C.Jeganathan

For Respondents : Mr.D.Gandhiraj
Government Pleader for State

ORDER

Learned counsel for the petitioner was heard at length. The petitioner had purchased the property. He subsequently found that the property had already been sold in the year 2004. The petitioner had applied for Encumbrance Certificate and had obtained a Nil Encumbrance Certificate.

2. A representation has been given by the petitioner on 01.10.2021 seeking action against the Sub Registrar. Such a direction cannot be given. However, the first and second respondents may examine the representation of the petitioner and



decide whether issuance of the Encumbrance Certificate was only due to the action of the third respondent and whether, it was issued in the normal course of official duty.

3. An option was given to learned counsel for the petitioner to implead the particular vendor as a party to the present Writ Petition so that an order can be passed which will bind all the parties. However, learned counsel refused to take such an option. Therefore, the first and second respondents may examine the representation and may take a decision to either initiate proceedings or not to initiate proceedings. That option always lies with the first and second respondents.

4. With the above observations, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Nsr/Lm

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,
O/o The Inspector General of Registration,
100, Santhom High Road,
Chennai.

2.The Deputy Inspector General of Registration,
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Madurai District.

3.The District Registrar of Registration,
District Registrar Office,
Near J.C.Petrol Bulk,
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Theni District.

+1 CC to M/s.SPL.GP (SR-33768[F] dated 09/11/2021)

W.P. (MD) .No.19498 of 2021
08.11.2021

MGJ/NS(22.11.2021) 2P 5C

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