

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 11.11.2021****CORAM:****THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN****W.P. (MD) No.19167 of 2021****WEB COPY**

R. Murugeswari

... Petitioner

vs.

1. The Inspector General of Registration,
80, Santhom Highways Road,
Chennai.

2. The District Registrar,
Dindigul District.

3. The Sub Registrar,
Sub Registrar office Joint- 1,
Dindigul, Dindigul District.

... Respondents

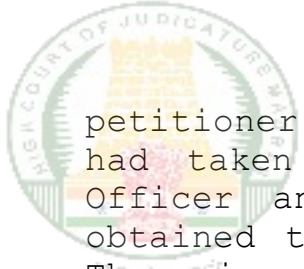
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd Respondent to enquire and cancel the illegal registration vide forged documents No.1849/2015, dated 15.05.2015 on the file of the 3rd respondent, on the basis of circular letter No.41350/U1/2017, dated 20.10.2017 issued by Inspector General of Registration in connection with our property situated at Seelabadi Revenue Village, Dindigul Taluk, Dindigul District in Old Survey No.463/1, Now new Survey No.463/1C1 having extent of 1 acre 48 cents in the light of the representation dated 05.08.2021.

For Petitioner : Mr. S.V.Durai Solaimalai
For Respondents : Mr.D.Gandhiraj
Government Advocate

O R D E R

This Writ Petition has been filed for a mandamus seeking a direction to the second respondent / District Registrar, Dindigul District to enquire and cancel the alleged illegal registering of the document vide forged document No.1849 of 2015 on 15.05.2015 by the third respondent, the Sub Registrar, Sub Registrar Office Joint -I, Dindigul.

2. The petitioner places reliance on the circular letter No. 41350/U1/ 2017 dated 20.10.2017 issued by the Inspector General of Registration who is impleaded as the first respondent. It has been stated by the petitioner that one Muthupandi, S/o.Veerakalai, residing at North Street, Thothuppatti, Pannaipatti Post, Dindigul District and one Perakasamery approached the mother of the



petitioner in respect of the above said property. Thereafter, they had taken the mother of the petitioner to the Sub Registrar Officer and the sale deed had been executed and they also obtained the thumb impression. His mother died on 17.06.2019. There is no explanation given as to why no action has been taken between 2015 and 2019. The petitioner however, claims that the said execution of the sale deed was in a fraudulent manner. All these aspects require evidence to be recorded.

3. The petitioner will necessarily have to lead the evidence about the approach made by Muthupandi and Perakasamery. From the above it is claimed that the mother of the petitioner has no knowledge about the document which was registered and that the signature of the mother was obtained by force. Though the document was registered in the year 2015, it came to the knowledge of the petitioner during the year 2019 that registration was done fraudulently. These facts can be elicited only during trial and this Court cannot go into the factual aspect.

4. Hence this petition stands dismissed with liberty to the petitioner to approach the competent Civil Court and seek appropriate relief in the manner known to law. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

1. The Inspector General of Registration,
80, Santhom Highways Road, Chennai.
2. The District Registrar, Dindigul District.
3. The Sub Registrar,
Sub Registrar office Joint- 1,
Dindigul, Dindigul District.

+1 CC to M/s.SPL.GP (SR-34292[F] dated 12/11/2021)

W.P. (MD) No.19167 of 2021
11.11.2021