



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.12.2021

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) .No.20552 of 2021

M.Mohamad Ismail

... Petitioner

Vs.

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

2.The District Registrar,
Dindigul District,
Dindigul.

3.The Sub-Registrar,
Nagalnayakanpatti,
Dindigul District.

4.Sesu

5.Jothi @ Jothimary

6.Alexandar

7.J.Rejinameri

8.Arulappan

9.Rajendran

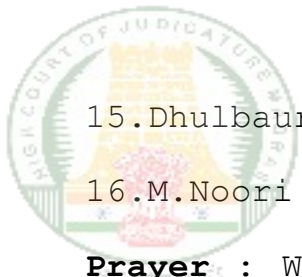
10.Chinnappan

11.A.Samsudeen

12.A.Rajiyabeevi

13.P.Jeyakumar

14.N.Mohameda beevi



15.Dhulbaurar

16.M.Noori

... 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 third respondent to conduct an enquiry in the light of the G.O.No.392 dated 02.10.2021 and cancel the fraudulent sale deeds including petitioner's survey properties in 3/1A, 3/1B, 4/6A, 4/6B made by the respondents 4 to 16, based on petitioner's representation dated 12.10.2021 within a time frame stipulated by this Court.

For Petitioner	:	Mr.Aayiram.K.Selvakumar
For R-1 to R-3	:	Mr.J.John Rajadurai Government Advocate
For R-11 and R-16	:	Mr.B.Micheal Sebastin

ORDER

This Writ Petition has been filed in the nature of Mandamus seeking a direction against the third respondent/the Sub-Registrar, Nagalnayakanpatti, Dindigul District to conduct an enquiry in accordance with G.O.Ms.No.392 of 2021 dated 02.10.2021 which was published in the Tamil Nadu Government Gazette on 02.09.2021.

2. Heard Mr.Aayiram.K.Selvakumar, learned counsel for the petitioner and Mr.J.John Rajadurai, learned Government Advocate who appears for respondents 1 to 3 and Mr.B.Micheal Sebastin, learned counsel for respondents 11 and 16.

3. In the affidavit filed in support of the Writ Petition, it had been stated that the petitioner M.Mohamad Ismail had purchased the lands in Survey No.4/6 measuring 1.57.5 acres at Nagalnayakanpatti, Pilliyarnatham Village, Dindigul District through a registered sale deed in Document No.2108/1990 on 30.09.1990, registered in the office of the third respondent/the Sub-Registrar, Nagalnayakanpatti, Dindigul District. The larger area of the lands was 5.45 acres. The petitioner had purchased 1.57.5 acres.

4. It had been stated that the property was purchased through a certificate of sale of immovable property issued by the Debts Recovery Tribunal-II at Chennai. The patta and other revenue records had been mutated in the name of the petitioner herein. It had been further stated that while being so, respondents 4 to 11 had included the survey number of the properties of the petitioner and executed sale deeds in order to create encumbrances over the properties by creating fabricated documents. Therefore, the petitioner had approached the respondents 1 to 3 with a representation seeking to cancel the said sale deeds.



5. In view of these particular facts, a direction is given to the second respondent to conduct an enquiry and after issuing notice to the petitioner and to respondents 4 to 16 and thereafter examine the documents of the petitioner and come to a considered decision. Let the principles of natural justice be followed. Let it be examined whether there was forgery with respect to registration of documents by respondents 4 to 16. Let this exercise be completed by the second respondent on or before 31.03.2022.

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Nsr

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

2.The District Registrar,
Dindigul District,
Dindigul.

3.The Sub-Registrar,
Nagalnayakanpatti,
Dindigul District.

+1 CC to M/s.B.MICHEAL SEBASTIN, Advocate (SR-40017[F] dated 22/12/2021)

+1 CC to M/s.SPL GP (SR-40253[F] dated 23/12/2021)

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21.12.2021

RD(5.01.2022) 3P 6C

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