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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No.3398 of 2022

P.Subramanyam Reddy

... Petitioner

Vs.

1.The Inspector General of Registration,
Office of the IG, Registration,
No.100, Santhome High Road,
Raja Annamalaipuram,
Chennai-600 028.

2.The District Registrar,
Vellore Registration District,
Velpadi, Vellore-632 001.

3.The Sub-Registrar,
Office of the Sub-Registrar,
Arakkonam Joint I,
Arakkonam, Vellore-631 001.

4.T.Venkadesan

5.M.N.Narendra Babu

6.G.Sekar

7.S.Chandra

8.G.Anbarasu

9.P.Kumari

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent to cancel the Power of Attorney Deed fraudulently executed vide Document No.202 of 2005 dated 14.08.2005, the subsequent sale deed vide Document No.1336 of 2005 dated 08.08.2005 in turn directing the 2nd respondent to cancel the three fraudulently executed sale deeds vide Document Nos.4455 of 2008, 4456 of 2008 and 4457 of 2008 all dated 02.04.2008, on the file of the 3rd respondent herein, within a time to be stipulated by this Hon'ble Court.

For Petitioner : Mr.V.Ramana Reddy

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, to direct the 2nd respondent to cancel the Power of Attorney Deed fraudulently executed vide Document No.202 of 2005 dated 14.08.2005, and directing the 2nd



respondent to cancel the three fraudulently executed sale deeds vide Document Nos.4455 of 2008, 4456 of 2008 and 4457 of 2008 all dated 02.04.2008, on the file of the 3rd respondent herein, within a time to be stipulated by this Hon'ble Court.

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2. The Special Government Pleader takes notice to the official respondents. Since, no adverse orders is being passed against the private respondents, notice to the private respondents is dispensed with.

3. The case of the petitioner is that the petitioner is the owner of the property. However, without the consent of the petitioner, 4th respondent created Power of Attorney and executed a Sale deed registered as Document No.202 of 2005, dated 04.08.2005 to the agricultural land for an extent of 1.30 acres comprised in survey No.233/4B, in a fraudulent way. Hence, the petitioner made a representation under Section 68 (2) of the Registration Act. But, till date no orders have been passed. Hence, this writ petition is filed.

4. The learned counsel for the petitioner submitted that it would suffice, if this Court issues a direction to cancel the sale deeds in accordance with law and pass appropriate orders within a particular time frame fixed by this Court.

5. The learned Special Government Pleader appearing on behalf of the respondent submits that though the petitioner has claimed the above relief, however no representation has been filed and if any representation is filed the same will be considered by the respondents within the time frame fixed by this Court.

6. Considering the facts and circumstances, the petitioner is directed to submit his representation along with all the necessary enclosures within a period of two weeks from the date of receipt of a copy of this order and on such representation being filed respondents are directed to consider the same and pass orders on merits and in accordance with law after providing opportunity of hearing to the petitioner and other affected parties within a period of twelve weeks thereafter.

7. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//



Psa

To

1. The Inspector General of Registration,
Office of the IG, Registration,
No.100, Santhome High Road,
Raja Annamalaipuram,
Chennai-600 028.
2. The District Registrar,
Vellore Registration District,
Velpadi, Vellore-632 001.
3. The Sub-Registrar,
Office of the Sub-Registrar,
Arakkonam Joint I, Arakkonam,
Vellore-631 001.

+lcc to Mr.V.Ramana Reddy, Advocate SR. No.11505
+lcc to Government Pleader SR. No.12371

W.P. No.3398 of 2022

AD (CO)
PR (11/03/2022)