



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.1559 of 2022

and

W.M.P.Nos.1676 & 1677 of 2022

Kamal Basha

...Petitioner

Vs

1. The Inspector General of Registration,
Santhome High Road, Chennai - 4.
2. The District Registrar,
Kallakurichi.
3. The Joint II Sub Registrar,
Joint II Sub Registrar Office,
Kallakurichi.
4. The Commissioner,
Kallakurichi Municipality,
Kallakuichi.
5. The Tahsildar,
Kallakurichi Taluk Office,
Kallakurichi.
6. The Assistant Engineer,
Tamil Nadu Electricity Board,
Kallakurichi.
7. Sartaj Begum
8. Jeelani Begum
9. Ansar Ali
10. Mohammed Ali

...Respondents

Prayer:-Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 3 to enquire on the representation dated 26.12.2021 and declare the transaction in Sale Deed in Doc.no.1763/21 on the file of Joint II Sub Registrar, Kallakurichi as fraudulent transaction and to take action against the respondents 7 to 10 and consequently forbear the respondents 4 to 6 from mutating any revenue records, Water & Sewerage and power connection at the instance of respondents 7 to 10 in respect of the property comprised in S.No.293/9,



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293/9B, New S.No.446/6, Durugam Road, Kallakurichi District of an extent of 544 sq.ft. on the basis of the document No.1763/21 on the file of Joint II Sub Registrar, Kallakurichi.

For Petitioner : Mr.L.Kowser Nissar

For R1 to R3 : Mr.Yogesh Kannadasan
Special Government pleader

ORDER

This writ petition has been filed for issuance of Writ of Mandamus, directing the respondents 1 to 3 to enquire on the representation dated 26.12.2021 and declare the transaction in Sale Deed in Doc.no.1763/21 on the file of Joint II Sub Registrar, Kallakurichi as fraudulent transaction and to take action against the respondents 7 to 10 and consequently forbear the respondents 4 to 6 from mutating any revenue records, Water & Sewerage and power connection at the instance of respondents 7 to 10 in respect of the property comprised in S.No.293/9, 293/9B, New S.No.446/6, Durugam Road, Kallakurichi District of an extent of 544 sq.ft. on the basis of the document No.1763/21 on the file of Joint II Sub Registrar, Kallakurichi.

2.Heard, Mr.L.Kowser Nissar, learned counsel appearing for the petitioner and Mr.Yogesh Kannadasan, Special Government Pleader appearing for the respondents 1 to 3.

3.The petitioner challenged the execution of fraudulent deed of conveyance, for issuance of property by the respondents 7 & 8, before the second respondent and the same is pending.

4.Considering the above, the second respondent is directed to conduct enquiry on the representation of the petitioner dated 26.12.2021, after issuance of notice to the petitioner and the respondents 7 to 10, by giving them an opportunity of hearing and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

5.With the above direction, the Writ Petition is disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

Lpp



To

1. The Inspector General of Registration,
Santhome High Road, Chennai - 4.

2. The District Registrar,
Kallakurichi.

3. The Joint II Sub Registrar,
Joint II Sub Registrar Office,
Kallakurichi.

4. The Commissioner,
Kallakurichi Municipality,
Kallakurichi.

5. The Tahsildar,
Kallakurichi Taluk Office,
Kallakurichi.

6. The Assistant Engineer,
Tamil Nadu Electricity Board,
Kallakurichi.

+1cc to Mr.N.A.Nissar Ahmed, Advocate, S.R.No.7455

+1cc to the Government Pleader, S.R.No.8035

W.P.No.1559 of 2022

and

W.M.P.Nos.1676 & 1677 of 2022

MT (CO)
RGA(08/03/2022)