



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 15.02.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI
W.P.No.2517 of 2022

WEB COPY

Azarudeen

...Petitioner

vs.

1.The Inspector General of Registration,
No.100, Santhome High Road,
Anna Salai, Chennai-600 028.

2.The District Registrar,
Tiruppur District,
Tiruppur.

3.The Joint District Registrar,
No.6/1, Red Fields G.R.D.Road,
(Opp.Air Force Administrative College)
Coimbatore-18.

4.The Sub-Registrar,
Sub-Registrar Office,
Udumalpet.

5.Heera

6.R.Radhakrishnan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the second respondent to cancel the settlement deed dated 06.08.2020, registered before the fourth respondent in the name of the fifth respondent by considering the petitioner representation dated 27.12.2021 within a time limit fixed by this Court.

For Petitioner
For Respondents

: Mr.B.Kumarasamy
: Mr.Yogesh Kannadasan
Special Government Pleader.



ORDER

The petitioner has filed this petition seeking a direction to the second respondent to cancel the settlement deed dated 06.08.2020, registered before the fourth respondent in the name of the fifth respondent by considering the petitioner representation dated 27.12.2021 within a time limit fixed by this Court.

2. Mr. Yogesh Kannadasan, learned Special Government Advocate takes notice for the respondent. In view of the limited relief sought for in this petition and on the consent expressed by the Learned counsel appearing on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner's parents were in joint possession of the property in door No.3/31, V.V.Layout, Udumalpet Town to an extent of 9 cents and door No.19, Kapporkhan Street, Udumalpet to an extent of 12 cents. After demise of his parents, the petitioner decided to partition the properties amicably with the fifth respondent, for which he got encumbrance certificate for the said properties. In the encumbrance certificate he found that a settlement deed was executed by his mother in favour of the fifth respondent for property in door No.13, V.V.Layout to an extent of 9 cents. The petitioner claimed that the said settlement deed was forged and he had made detailed representation on 27.12.2021 to the respondents praying to cancel the forged settlement deed. However, till date no action has been taken by the 2nd respondent on the representation made by the petitioner. Hence the present Writ Petition has been filed by the petitioner with the above relief.

4. The learned counsel appearing for the petitioner submit that it would suffice if this Court directs the second respondent to cancel the settlement deed dated 06.08.2020, registered before the fourth respondent in the name of the fifth respondent by considering the petitioner representation dated 27.12.2021 within a time limit fixed by this Court.

5. The learned Special Government Pleader appearing on behalf of the respondents submits that the petitioner has made representation before the second respondent/ District Registrar, who is not competent to pass orders. Therefore, the petitioner may be directed to file representation before the competent authority.

6. Considering the facts and circumstances admittedly, the petitioner has made representation before the District Registrar



who is not competent to pass orders. In view of the above, without expressing any opinion on merits of the case, this Court grants permission to the petitioner to file appropriate representation before the competent authorities along with a copy of this order and on such representation being filed, the competent authority shall consider the same and pass appropriate orders as expeditiously as possible.

7. Accordingly, this writ petition is disposed of with the aforesaid direction. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

nhs/tri
To

- 1.The Inspector General of Registration,
No.100, Santhome High Road,
Anna Salai, Chennai-600 028.
 - 2.The District Registrar,
Tiruppur District,
Tiruppur.
 - 3.The Joint District Registrar,
No.6/1, Red Fields G.R.D.Road,
(Opp.Air Force Administrative College)
Coimbatore-18.
 - 4.The Sub-Registrar,
Sub-Registrar Office,
Udumalpet.
- +1 cc to Mr.B.Kumarasamy, Advocate Sr.NO. 9764
+1 cc to Government Pleader Sr.NO. 10240

W.P.No.2517 of 2022

kg(CO)
A.SK(07/03/2022)