



WEB COPY



W.P.No.5230 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.5230 of 2022

Arjun

... Petitioner

Vs.

1.The District Registrar,
Registration Department,
Krishnagiri.

2.The Sub-Registrar,
Registration Department,
Soolagiri.

3.Samappa

4.Rajappa

5.K.Muniappa

6.Venkatesan

7.Samayya

8.Lakshmanan

9.Rajendran

10.Muniappa

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent herein to consider the petitioner's representation dated 09.10.2021 sent for cancelling the fraudulent registration taken place in respect of the petitioner's lands in S.F.Nos.173/2 and 177/1 situate at Guruparapalli village, Soolagiri Taluk, Krishnagiri District.



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For petitioner : Mr.K.Govi Ganesan
For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

The petitioner has filed this petition seeking direction to the first respondent herein to consider the petitioner's representation dated 09.10.2021 sent for cancelling the fraudulent registration taken place in respect of the petitioner's lands in S.F.Nos.173/2 and 177/1 situated at Guruparapalli village, Soolagiri Taluk, Krishnagiri District.

2. Mr.Yogesh Kannadasan, learned Special Government Pleader takes notice for the respondents. 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. Since, no adverse order is being passed against the private respondents, notice to the private respondents is dispensed with.



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4. The case of the petitioner is that the petitioner is the owner of the property comprised in S.F.No.173/2 and 177/1, situated at Guruparapalli Village, Scoolagiri Taluk, Krishnagiri District. While so, during UDR Scheme mistakes had crept in the revenue records, and hence, the Patta bearing No.176 was granted in favour of Chinnapayyappa. However, taking advantage of that, the legal heirs of Chinnapayyappa alienated the said lands to the private respondents 6 to 9 herein by a Sale Deed dated 30.03.2012 without any right over the said property. Immediately, thereafter the petitioner made a representation dated 09.10.2021 to the first respondent to cancel the said Sale Deed. However, till date no action has been taken by the first respondent on the representation made by the petitioner. Hence, the present Writ Petition has been filed by the petitioner for the above relief.

5. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court directs the first respondent to consider the petitioner's representation dated 09.10.2021 within the time frame that may be fixed by this Court.

6. The learned Special Government Pleader appearing for the



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respondents submits that the petitioner has made representation before the first respondent/District Registrar, who is not competent to pass orders.

Therefore, the petitioner may be directed to file representation before the competent authority.

7. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, grants permission to the petitioner to file appropriate suit before the competent Court as against the private respondents.

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

08.03.2022

Index : Yes / No
Internet : Yes / No
Speaking Order/Non-Speaking Order
tri/anu



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To

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M.DHANDAPANI,J.

tri/anu

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