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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:07.03.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.4859 of 2022

A.M.R.Durai

...Petitioner

vs.

1. The Inspector General of Registration,
Office of the Inspector General of Registration,
Santhome, Chennai - 600 028.
2. The Regional Deputy Inspector General of Registration,
Trichy Region,
Kajamalai,
Trichy - 20.
3. The District Registrar,
Ariyalur,
Ariyalur District.
4. The Sub-Registrar,
Andimadam,
Ariyalur District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 and 2 herein to consider and pass orders in respect of the appeal dated 15.01.2021 followed by representation dated 23.11.2021 in respect of the property in Survey No.56/2 registered under Doc No.20 and cancel the registration of the document numbers under Doc.No.2839 of 2016, 2840 of 2016, 3879 of 2018, 3880 of 2018, 1595 of 2020 and 3519 of 2020 on the file of the 4th respondent herein.

For Petitioner : Mr.A.L.Gandhimathi

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader



ORDER

This writ petition has been filed seeking for issuance of a writ of Mandamus directing the respondents 1 and 2 herein to consider and pass orders in respect of the appeal dated 15.01.2021 followed by representation dated 23.11.2021 in respect of the property in Survey No.56/2 registered under Doc No.20 and cancel the registration of the document numbers under Doc.No.2839 of 2016, 2840 of 2016, 3879 of 2018, 3880 of 2018, 1595 of 2020 and 3519 of 2020 on the file of the 4th respondent herein.

2.The case of the petitioner is that the petitioner, purchased properties for running a school in the year 1986 of a total extent of 14 acres and 36 cents by way of registered documents dated 23.06.1986, pursuant to which the petitioner has put up construction and was running the school. Thereafter, in the year 2001, one Jagadish Rosario took possession of petitioner's properties and was running the school for few years and later sold the said properties to third parties and the same was registered by a sale deed dated 31.10.2016 by way of fraudulent documents in favour of one Kayalvizhi. While so, the petitioner has filed an appeal before the 1st respondent dated 15.01.2021 followed by representations dated 09.07.2021 and 23.11.2021 to the respondents 1 and 2 herein for cancellation of the registration of said fraudulent documents. Since the respondents have not acceded the petitioner's request, he has filed the present Writ Petition seeking the aforesaid relief.

3.Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the respondents 1 and 2 to consider the petitioner's representation dated 23.11.2021 and pass orders on merits within a particular time frame fixed by this Court.

4.The learned Special Government Pleader for respondents has no objection for said order being passed.

5.Heard learned counsel appearing on either side and perused the materials placed before this Court.

6.In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the respondents 1 and 2 to consider the petitioner's representation dated 23.11.2021 and pass appropriate orders on merits and in accordance with law, after affording opportunity of hearing to the petitioner and aggrieved persons within a period of twelve weeks from the date of receipt of a copy of this order.



7. This writ petition is accordingly disposed of. No costs.
Consequently connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rap/nhs

To

1. The Inspector General of Registration,
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Chennai - 600 028.
2. The Regional Deputy Inspector General of Registration,
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Kajamalai,
Trichy - 20.
3. The District Registrar,
Ariyalur,
Ariyalur District.
4. The Sub-Registrar,
Andimadam,
Ariyalur District.

+1cc to M/s.A.L.Ganthimathi, Advocate, S.R.No.15447

+1cc to the Government Pleader, S.R.No.15858

W.P.No.4859 of 2022

PMK (CO)
RGA (31/03/2022)