



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2022

CORAM :

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.3321 OF 2022

A.Pushpam

... Petitioner

Vs.

1. The Inspector of Police,
No.100, Santhome High Road,
Chennai-600 028.
2. The Deputy Inspector General of Registration,
Integrated Building Complex,
Kumaragiri Bye Pass Road,
Near Udayapatty Power House,
Ammamet, Salem-6360141.
3. The District Registrar,
District Registrar Office,
Krishnagiri-635001.
4. Seenappa
5. Vijayakumar
6. Sanjay

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to consider the petitioner's representation dated 10.06.2021 and to conduct an enquiry for the fraudulent acts committed by the 4th respondent in executing the Settlement Deed in Doc.No.8025/2021 dated 05.05.2021 in favour of the respondents 5 and 6 in respect of the lands measuring to an extent of 1.00 acres together with the house constructed comprised in Old Survey No.631/1B and New Survey No.631/1B7D situated at Moranappalli Village, Hosur Taluk, Krishnagiri Taluk, Krishnagiri District, within the time to be stipulated by this Hon'ble Court.



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For Petitioner : Mr.R.Bharath Kumar
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 respondents 1 to 3 to consider the petitioner's representation dated 10.06.2021 and to conduct an enquiry for the fraudulent acts committed by the 4th respondent in executing the Settlement Deed in Doc.No.8025/2021 dated 05.05.2021 in favour of the respondents 5 and 6 in respect of the lands measuring to an extent of 1.00 acres together with the house constructed comprised in Old Survey No.631/1B and New Survey No.631/1B7D situated at Moranappalli Village, Hosur Taluk, Krishnagiri Taluk, Krishnagiri District, within the time to be stipulated by this Court.

2. The learned 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 in Old Survey No.631/1B and New Survey No.631/1B7D situated at Moranappalli Village, Hosur Taluk, Krishnagiri District. The 4th respondent executed a Sale deed in favour of the 5th and 6th respondents in respect of the very same property. The said Sale Deed executed by the fourth respondent in favour of the 5th and 6th respondents is alleged to be a fraudulent document and for cancellation of the said document, the petitioner made a representation to the 3rd respondent. The 3rd respondent though adjudicated the matter, however, till now no orders have been passed. Hence, this writ petition is filed.

4. The learned counsel for the petitioner submitted that without the consent of the petitioner the fourth respondent has executed a sale deed in favour of the 5th and 6th respondents. Hence, the petitioner made a representation under Section 68(2) of the Registration Act to cancel the fraudulent document. He further submits that it would suffice if this Court issues a direction to the respondents 1 to 3 to consider and pass orders on the petitioner's representation dated 10.06.2021 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 the petitioner's representation dated 10.06.2021 will be considered by the respondents within the time frame fixed by this Court.

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6. Considering the facts and circumstances, without going into the merits of the case, the respondents 1 to 3 are directed to consider the petitioner's representation dated 10.06.2021 and pass orders on merits and in accordance with law after providing opportunity of hearing to the petitioner and the other private respondents within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

Psa

To

1. The Inspector of Police,
No.100, Santhome High Road,
Chennai-600 028.
2. The Deputy Inspector General of Registration,
Integrated Building Complex,
Kumaragiri Bye Pass Road,
Near Udayapatty Power House,
Ammamet, Salem-6360141.
3. The District Registrar,
District Registrar Office,
Krishnagiri-635001.

+1cc to Mr.R.Bharath Kumar, Advocate, S.R.No.11905

+1cc to the Government Pleader, S.R.No.12368

W.P.No.3321 of 2022

AD(CO)

RLP(10/03/2022)