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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.3795 of 2022

V.Jagath Prasad

...Petitioner

Vs.

1.The Inspector General of Registration,
100, Santhome High Rd, Mullima Nagar,
Mandavelipakkam,
Raja Annamalai Puram,
Chennai-600 028.

2.The District Registrar (Administration),
South Central,
Fanepet, Nandanam,
Chennai-600 035.

3.The Sub-Registrar,
Tambaram,
South Chennai District,
Rajakilpakam,
Chennai-600 073.

4.P.Boominathan

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to forbear the 3rd respondent to receive any Deed of sale for registration from the 4th respondent in respect of the properties situated at Plot No.10, 11, & 12 admeasuring 1300 Sq.ft, 1500 Sq.ft and 1638 sq.ft respectively at Kannadasan Street, Archana Nagar, Peerankaranai Village, Kancheepuram District based on the representation of the petitioner dated 31.10.2019.

For petitioner : Mr.J.Deliban

For Respondents : Mr.Yogeshkannadasan
Special Government Pleader



ORDER



Chennai Police Police and upon investigation an F.I.R in Crime No. 43 of 2017 was registered against the fourth respondent and B.Gopalakrishnan who is alleged to be as power agent of the petitioner's mother. Thereafter, the fourth respondent inferring and anticipating F.I.R registered against him filed a suit in O.S.No.235 of 2016 on the file of the District Munsif at Tambaram. Immediately, thereafter, petitioner made a complaint before the District Registrar of Registration, South Chennai to take appropriate action against the fourth respondent and cancel the impersonated documents bearing Nos.887, 1698 & 1699 of 2016 on the file of the S.R.O Tambaram at Chennai. However, the second respondent passed an order directing the petitioner to work out the remedy before the competent Civil Court, without taking into consideration that the suit has been filed by the fourth respondent only for the limited relief of injunction and not for declaration. Thereafter, petitioner filed an appeal before the first respondent as against the above said order dated 15.05.2017 and till date the appeal was not disposed of on the ground of Circular No. 67/2011 dated 03.11.2011 issued by the first respondent was stayed by this Court. Thereafter petitioner made a representation dated 31.10.2019 to the third respondent to forbear from receiving any documents for registration from fourth respondent in respect of above said properties. 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 third respondent to consider the application of the petitioner dated 31.10.2019. He further submitted that, issue direction to dispose of the appeal filed by the petitioner within the time frame that may be fixed by this Court.

6. The learned Special Government Pleader appearing for the respondents submits that the petitioner's representation dated 31.10.2019 will be considered by the respondent within the time frame that may be fixed by this Court.

7. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the third respondent to consider the petitioner's representation dated 31.10.2019, and also directs the first respondent to dispose of the appeal filed by the petitioner and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order.



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

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

tri/nhs
To

- 1.The Inspector General of Registration,
100, Santhome High Rd, Mullima Nagar,
Mandavelipakkam,
Raja Annamalai Puram,
Chennai-600 028.
- 2.The District Registrar (Administration),
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- 3.The Sub-Registrar,
Tambaram,
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Rajakilpakam,
Chennai-600 073.

+1 CC to The Governemnt Pleader sr 13045
+1 CC to M/s.J. Deliban, Advocate sr 12158.

W.P.No.3795 of 2022

PMK(CO)
SP(22/03/2022)