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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.5234 of 2022
W.M.P.No.5322 of 2022

K.R.Ramesh

... Petitioner

Vs.

1.The Director General of Registration,
Santhome High Road,
Santhome,
Chennai - 600 004.

2.The District Registrar (Admn),
Arakkonam Taluk,
Ranipet District.

3.Joint - II Sub-Registrar,
Arakkonam,
Arakkonam Taluk,
Ranipet District.

4.R.B.Raja

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing second respondent to cancel the Sale Deed dated 28.01.2019 bearing document No.282 of 2019 registered on the file of the Joint-II Sub-Registrar, Arakkonam Taluk, Ranipet District initiating appropriate action and conducting enquiry under the provisions of the Registration Act 1908 following the representation dated 02.01.2022 submitted by the petitioner for cancellation of the Sale Deed on the ground of fraud and misrepresentation.

For petitioner : Mr.S.Sadasharam

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader



ORDER

The petitioner has filed this petition seeking direction to the second respondent to cancel the Sale Deed dated 28.01.2019 bearing document No.282 of 2019 registered on the file of the Joint-II Sub-Registrar, Arakkonam Taluk, Ranipet District initiating appropriate action and conducting enquiry under the provisions of the Registration Act 1908 following the representation dated 02.01.2022 submitted by the petitioner for cancellation of the Sale Deed on the ground of fraud and misrepresentation.

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 fourth respondent, notice to the fourth respondent is dispensed with.

4. The case of the petitioner is that the petitioner is a vendor. He intends to sold the property in favour of the private respondent. While so, he sold the property to the fourth respondent and a cheque was shown for the same by the private respondent, and after completing the registration, the cheque issued in favour of the petitioner was torn by the private respondent. Without paying any amount to the petitioner, the private respondent had grabbed the petitioner's property, and challenging the same the petitioner made a representation dated 02.01.2022 before the second respondent to cancel the fraudulent document. However, till date no action has been taken by the respondents 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 second respondent to consider the petitioner's representation dated 02.01.2022 within the time frame that may be fixed by this Court.

6. Considering the facts and circumstances, this Court without expressing any opinion on the merits of the case, grants permission to the petitioner to file appropriate complaint before the Law Enforcing Agency.



7. Accordingly, this writ petition is disposed of with the aforesaid liberty to the petitioner. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar (CS-IX)

//True copy//

Sub Assistant Registrar

tri/anu

To

1.The Director General of Registration,
Santhome High Road,
Santhome,
Chennai - 600 004.

2.The District Registrar (Admn),
Arakkonam Taluk,
Ranipet District.

3.Joint - II Sub-Registrar,
Arakkonam,
Arakkonam Taluk,
Ranipet District.

+1cc to Mr.S.Sadasharam, Advocate SR.No.15999

+1cc to Government Pleader SR.No.16225

W.P.No.5234 of 2022

PA (CO)
GMY (25/03/2022)