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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :28.03.2022

CORAM :

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.7066 OF 2022

Rejimon

... Petitioner

Vs.

1. The District Registrar,
District Registrar Office,
Ambattur, Chennai-53.

2. The Sub Registrar,
Sub-Registrar's Office,
Ambattur,
Chennai-53.

3. J.Omana

4. T.Y.Johnson

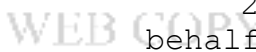
... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st and 2nd respondents to take action upon the representation of the petitioner, dated 28.10.2021 by making suitable entry in the Encumbrance Certificate regarding fraudulent nature of the Settlement Deed dated 07.10.2021 executed by the 3rd respondent in favour of the 4th respondent and his son.

For Petitioner	:	M/s.TVJ Associates
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 1st and 2nd respondents to take action upon the representation of the petitioner, dated 28.10.2021 by making suitable entry in the Encumbrance



2. The learned Special Government Pleader appearing on behalf of the respondents takes notice for the official respondents. In view of the limited relief sought for in this petition and on the consent of the learned counsel appearing on either side, this petition is taken up for final disposal.

4. The case of the petitioner is that the petitioner is the owner of the property in S.No.362 (Part) in Plot No.57, to an extent of 3600 Sq.ft, at Saraswathy Nagar, Thirumullaivayil Village, Chennai. However, the private respondents namely 3rd and 4th respondents created a Power of Attorney in Survey No.361 and thereafter, Settlement Deed in S.No.362 and encroached the petitioner's property by providing 2 different survey numbers in 2 different Sale Deeds, for which the petitioner made a complaint before the District Registrar under Section 68(2) of the Registration Act for cancellation of the fraudulent documents executed by the private respondents. However, till date no orders have been passed. Hence, this writ petition is filed with the above said prayer.

6. The learned Special Government Pleader appearing on behalf of the respondents submitted that several circulars were issued for cancellation of document, however, the petitioner's complaint dated 28.10.2021, will be considered by the respondents in terms of Circular and under Section 68(2) of the Registration Act, within a reasonable time that may be fixed by this Court.

<https://hcservices.ecourts.gov.in/hcservices/>



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8. With the above direction, this Writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

Psa

To

1. The District Registrar,
District Registrar Office,
Ambattur, Chennai-53.
2. The Sub Registrar,
Sub-Registrar's Office,
Ambattur,
Chennai-53.

+1cc to M/s.TVJ Asssociates, Advocate, S.R.No.20988

+1cc to the Government Pleader, S.R.No.21370

W.P.No.7066 of 2022

PMK(CO)
RLP(12/04/2022)