



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :16.03.2022

CORAM :

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.5900 OF 2022

Dhanavel Pillai

... Petitioner

Vs.

1. The Deputy Inspector General of Registration,
Cuddalore,
Cuddalore District.
2. The District Registrar (Administration),
Virudhachalam,
Cuddalore District.
3. The Tahsildar,
Tittagudi Taluk,
Cuddalore District.
4. Ramasamy
5. Rajagopal

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent to concluding the enquiry based on the direction of the 1st respondent dated 04.01.2021 in Letter No.2900/AA1/2020 by receiving the report for genuineness certificate relating to Patta No.211 from the 3rd respondent in respect of the property comprised in Survey No.289/33-A situated at Perumulai Village, Tittagudi Taluk, Cuddalore District within a stipulated time.

For Petitioner : Mr.S.N.Arunkumar

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 2nd respondent to concluding the enquiry based on the direction of the 1st respondent dated 04.01.2021 in Letter No.2900/AA1/2020 by receiving the report for genuineness certificate relating to Patta No.211 from the 3rd respondent in respect of the property comprised in Survey No.289/33-A situated at Perumulai Village, Tittagudi Taluk, Cuddalore District within a stipulated time.

2. The learned Special Government Pleader 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.

3. Since no adverse order is being passed as against the private respondents, notice to private respondents is dispensed with.

4. The case of the petitioner is that originally, the property in Survey No.289/33 re-survey No.289/35, 289/36 and 289/37 situated at Perumulai Village, Tittagudi Taluk, Cuddalore District, an extent of 224 Sq.mt belongs to the one Karuppupillai and his sons. They were entered into the Partition Deed, vide Document No.1373/1965, on the file of the S.R.O. Tittagudi. In the said partition B-Schedule property belongs to one Singaravelu Pillai, S/o. Kandasamy Pillai, and the same was purchased by the petitioner vide Document No.143/2020, S.R.O. Titttagudi, on 18.10.2010. Thereafter, the property was sub-divided and Natham Patta was issued in petitioner's name and his wife's name. Further, it was sub-divided into the names of petitioner's sons in Patta Nos. 407, 408 and 409, and the petitioner is in possession and enjoyment of the property. The property in Survey No.289/33-A, corresponding Patta No.211, have been fabricated and created by the Ramasamy with the connivance of the Revenue Officer and sold the property in favor of one Rajagopal, on 11.02.2019, vide Document No.141/2019. As against this illegal transaction petitioner sent a detailed complaint to the 2nd respondent to cancel the Sale Deed and take criminal action against the said Ramasamy and Rajagopal under Section 81 to 83 of the Registration Act. The first respondent have passed an order on 16.12.2020 in Na.Ka.No.1463/AA1/2020 and rejected the petitioner's request and refused to cancel the registered document as against the petitioner. Aggrieved with the same, petitioner preferred an appeal before the 1st respondent on 23.02.2020, after consideration the 1st respondent remanded the matter to the 2nd respondent for fresh consideration by getting a



report from the Tahsildar, Tittagudi about the genuineness of the Patta produced for the purpose of the registration by the private respondents in a proceedings No.2900/AA1/2020, dated 04.01.2021. However, till date no orders have been passed. Hence, this writ petition is filed with the above said prayer.

5. The learned counsel appearing for the petitioner submitted that it would suffice, if this Court issues a direction to the 2nd respondent to conclude the proceedings in Letter No.2990/AA1/2020, dated 04.01.2021, within the time frame that may be stipulated by this Court.

6. The learned Special Government Pleader appearing on behalf of the official respondents submitted 2nd respondent to conclude the proceedings in Letter No.2990/AA1/2020, dated 04.01.2021, within a reasonable time that may be fixed by this Court.

7. Without going into the merits of the case, the 2nd respondent is directed to conclude the proceedings in Letter No.2990/AA1/2020, dated 04.01.2021 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the aggrieved parties, if any, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

Psa

To

1. The Deputy Inspector General of Registration,
Cuddalore,
Cuddalore District.
2. The District Registrar (Administration),
Virudhachalam,
Cuddalore District.



3. The Tahsildar,
Tittagudi Taluk,
Cuddalore District.

+1cc to M/s.S.N.Arunkumar, Advocate, S.R.No.17676

+1cc to the Special Government Pleader, S.R.No.18570

W.P.No.5900 of 2022

SKM(CO)
RLP (30/03/2022)