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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :23.03.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No.6574 of 2022

Anbu

...Petitioner

Vs.

1. The Inspector General of Registration,
Registration Department,
No.100, Santhome High Road,
Pattinapakkam, Annamalaipuram,
Chennai-600028.

2. The District Registrar,
O/o. The District Registrar,
No.532, Housing Board,
Seyyar, Thiruvannamalai District.

3. The Sub Registrar,
Arani Sub Registrar,
Arani,
Thiruvannamalai District.

4.Machavalli

5.K.M.Alavudeen

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd and 3rd respondents to conduct enquiry in respect of forgery sale deed registered before the 3rd respondent office in Document No.1425 of 2007 dated 01.03.2007 and to cancel the same within a time stipulated by this Hon'ble Court based on petitioner's representation dated 14.03.2022.

For Petitioner : Mr.S.Sasi 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 2nd and 3rd respondents to conduct enquiry in respect of forgery sale deed registered before the 3rd



respondent office in Document No.1425 of 2007 dated 01.03.2007 and to cancel the same within a time stipulated by this Court, based on petitioner's representation dated 14.03.2022.

2.The learned Special Government Pleader appearing on behalf of the respondents take notice for the official respondent. 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 the private respondents is dispensed with.

4.The case of the petitioner is that the petitioner's father purchased the property in S.F.No.332/8, to an extent of 1 Acre 89 Cents situated in 12-Puthur Village, Arani Taluk, Thiruvannamalai District from one Rajeswar @ Rajam through a registered Sale Deed, dated 15.04.2004 and the same was registered as Document No.1508/2004, on the file of 3rd respondent. Thereafter, the petitioner's father and mother were passed away. Then the petitioner obtained legal heir certificate. Thereafter, the petitioner and other legal heirs came to know that the 4th respondent had created a forged documents and sold the said property to the 5th respondent and the same was registered before the 3rd respondent in Document No1425/2007. Immediately,thereafter the petitioner made a representation to the second respondent, on 14.03.2022, for cancellation of fraudulent documents in terms of Section 68(2) of the Registration Act. However, till date no orders have been passed. Hence, this writ petition is filed with the above said prayer.

5. The learned counsel for the petitioner submitted that it would suffice if this Court issue a direction to the 2nd respondent to consider the petitioner's representation, dated 14.03.2022, and pass orders within a reasonable time that may be fixed by this Court.

6.The learned Special Government Pleader appearing on behalf of the respondents submitted that the petitioner's representation dated 14.03.2022, will be considered by the respondents, within a reasonable time that may be fixed by this Court.

7.This Court, without going into the merits of the case, directed the 2nd respondent to consider the petitioner's representation dated 14.03.2022, and pass orders on merits and in accordance with law, after providing an opportunity of hearing to the petitioner and 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.

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Sd/-
Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

Psa

To

1. The Inspector General of Registration,
Registration Department,
No.100, Santhome High Road,
Pattinapakkam, Annamalaipuram,
Chennai-600028.
2. The District Registrar,
O/o. The District Registrar,
No.532, Housing Board,
Seyyar, Thiruvannamalai District.
3. The Sub Registrar,
Arani Sub Registrar,
Arani,
Thiruvannamalai District.

+1cc to Mr.S.Sasikumar, Advocate, S.R.No.19328

+1cc to the Government Pleader, S.R.No.20397

W.P. No.6574 of 2022

GPL(CO)
RGA(07/04/2022)