



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.03.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.7326 OF 2022

Dhanalakshmi

... Petitioner

Vs.

1. The Inspector General of Registration,
No.100, Santhome High Road,
Chennai - 600 028.
2. The District Registrar,
Chengalpattu District Register Office,
Chengalpattu.
3. The Sub-Register,
Chengalpattu Register Office,
Chengalpattu.
4. Radhakrishnan
5. J.Vijay Surana

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to dispose of the representation dated 26.10.2021 submitted for the cancellation of the Sale Deed dated 01.08.2016 registered as document no.8065/2016, 8067/2016 comprised in Survey No.388/13(part), 388/10, 388/14 1/4 part well, Kayarambedu Village, Chengalpattu Taluk, Kancheepuram District in pursuant to the G.O.Ms.No.392A dated 02.09.2021.

For petitioner : Mr.L.Dhamodaran

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader



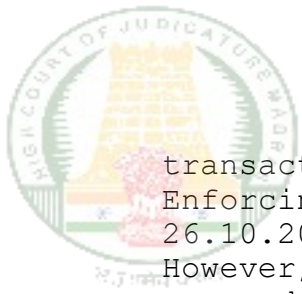
ORDER

The petitioner has filed this petition seeking direction to the first respondent to dispose of the representation dated 26.10.2021 submitted for the cancellation of the Sale Deed dated 01.08.2016 registered as document no.8065/2016, 8067/2016 comprised in Survey No.388/13(part), 388/10, 388/14 1/4 part well, Kayarambedu Village, Chengalpattu Taluk, Kancheepuram District in pursuant to the G.O.Ms.No.392A dated 02.09.2021.

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 and fifth respondents, notice to the fourth and fifth respondents is dispensed with.

4. The case of the petitioner is that the petitioner is the owner of the property measuring an extent of 0.20 1/4 acres comprised in Survey No.388/13 (part), an extent of 0.35 acres comprised in Survey No.388/10 totally an extent of 0.55 1/4 acre along with 1/4th share in the well comprised in Survey No.388/14, situated in Kayarambedu Village, Chengalpattu Taluk, Kancheepuram District. The said property was originally possessed and enjoyed by Raghava Naicker, after the demise of said Raghava Naicker, his wife Dhanammal succeeded the property. Thereafter, the said Dhanammal bequeathed the property to the petitioner by a registered deed of Will dated 17.08.1989, registered as document No.76/1989. After her demise, the above said Will came into force and same was intended and acted upon and mutations of records have taken place. Thereafter, the petitioner executed a Settlement Deed dated 20.07.2015, in document No.8770 of 2015, in favour of his son/Ravichandar. Thereafter, one Radhakrishnan approached the petitioner's son for purchase of said property. Though, petitioner's son did not accede to his demand the said Radhakrishnan by way of threat and coercion in a forcible manner took him to the registration office and obtained power of attorney. The said power of attorney was not completed as the signature of the petitioner's son was not obtained. However, the said registration was completed and released the document in favour of the fourth respondent, on the same day, fourth respondent had executed a Sale Deed in favour of Krishna estates represented by one Vijay Surana. Objecting the same, against the above fraudulent



transaction the petitioner made a complaint before the Law Enforcing Agency as well as to the first respondent on 26.10.2021, for cancellation of the said fraudulent document. However, till date no action has been taken by the first respondent 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 26.10.2021 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 26.10.2021 will be considered by the second 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 second respondent to consider the petitioner's representation dated 26.10.2021, and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order, after affording an opportunity to the petitioner as well as to the fourth and fifth respondents.

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

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

tri/nhs

To

1. The Inspector General of Registration,
No.100, Santhome High Road,
Chennai - 600 028.



2. The District Registrar,
Chengalpattu District Register Office,
Chengalpattu.

3. The Sub-Register,
Chengalpattu Register Office,
Chengalpattu.

+lcc to Mr.L.Dhamodaran, Advocate, S.R.No.21125
+lcc to the Government Pleader, S.R.No.21741

W.P.No.7326 of 2022

EV (CO)
PM/22/04/2022