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W.P.No.33272 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.10.2022

Coram

The Honourable Mr.Justice M.DHANDAPANI

**W.P.No.33272 of 2015
and M.P.Nos.1 & 2 of 2015
and W.M.P.No.21149 of 2016**

Chinnaraj

...Petitioner

Versus

1.The Inspector General of Registration,
Registration Department,
Santhome,
Chennai.

2.The District Registrar,
Tiruvannamalai,
Tiruvannamalai District.

3.The Sub-Registrar,
Chengam,
Tiruvannamalai District.

4.The Superintendent of Police,
Tiruvannamalai,
Tiruvannamalai District.

5.Gopal

6.Theethu @ Theerthagiri

...Respondents



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Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorari calling for the records in proceeding No.1737/A1/2015 dated 14.09.2015 on the file of the second respondent and quash the same.

For Petitioner : Mr.G.Rajan
For Respondents – 1 to 4: Mr.G.Krishnaraja,
Additional Govt. Pleader

ORDER

The relief sought in this writ petition is to call for the records in proceeding No.1737/A1/2015 dated 14.09.2015 on the file of the second respondent and quash the same.

2. The case of the petitioner is that he purchased the land measuring to an extent of 2.78 Acres comprised in Dry S.No.124/2 situated at Pursapattu Village, Chengam Taluk, Tiruvannamalai District from the sixth respondent by virtue of Registered Sale Deed dated 13.09.2012 which was registered as Document No.5554 of 2012 on the file of the third respondent. After the execution of sale deed in his favour, he applied for the mutation of Revenue Records such as Patta, Chitta, Adangal, etc. The Revenue Authorities after scrutinizing and examining all the documents, transferred the Patta of the said land in the name of the petitioner and effected necessary



changes in the Revenue Records. The petitioner is in possession and enjoyment of the aforesaid land and he has executed a Settlement Deed in favour of his son Prabu.

2.1. While so, the fifth respondent lodged a complaint before the Police Authorities stating that the petitioner has illegally grabbed the aforesaid land by impersonation. The Police Authorities after conducting an enquiry on his complaint and closed the same since no document was produced by the fifth respondent to substantiate his claim. Then, the fifth respondent filed a petition dated 26.02.2015 before the second respondent seeking to cancel the aforesaid Sale Deed dated 13.09.2012. After receiving the said petition, the second respondent called upon the petitioner to attend an enquiry on 17.08.2015 and the petitioner has also attended the enquiry on the said date.

2.2. Thereafter, the second respondent vide proceedings No.1757/A1/2015 dated 14.09.2015 declared the fifth respondent as owner of the subject land and also, directed the concerned authorities to initiate criminal proceedings under Section 83(1) of the Registration Act 1908,



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against the petitioner and his son Prabu. Aggrieved over the proceedings issued by the second respondent, the petitioner has knocked the doors of this Court with the present writ petition.

3. The learned counsel for the petitioner submitted though Circular No.67 dated 03.11.2011 issued by the Head of Registration, Chennai was stalled by this Court, the second respondent cancelled the aforesaid Sale Deed pursuant to the letter No.6/HRD/2013 dated 31.01.2013 issued by the Head of Registration. He also submitted that the petitioner has an appeal remedy before the Deputy Inspector General of Registration and therefore, liberty may be granted to the petitioner to avail the same.

4. In view of the above submission made by the learned counsel for the petitioner, this writ petition is dismissed, however, liberty is granted to the petitioner to work out his remedy in the manner known to law. No costs. Consequently, connected miscellaneous petitions are closed.

13.10.2022

mrr

Index : Yes/No

Speaking Order (or) Non Speaking Order



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M.DHANDAPANI, J.

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