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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.10470 OF 2022

M.Nilofer

... Petitioner

.Vs.

1. The Inspector General of Registration,
Registration Department (Chennai),
No.100, Santhome High Road,
Pattinapakkam,
Chennai - 600 028.
2. The Additional Inspector General of Registration,
Registration Department (Chennai),
No.100, Santhome High Road,
Pattinapakkam,
Chennai - 600 028.
3. The District Registrar (Administration),
Registration District (South Chennai),
Integrated Building for Offices of the
Commercial Taxes and Registration Department,
Fanepet, Nandanam,
Chennai - 600 035.
4. The Registrar,
Office of the Sub-Registrar,
Adyar, Kamaraj Avenue 2nd Street,
Venkata Rathinam Nagar,
Adyar, Chennai,
Tamil Nadu - 600 020.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondents Nos. 1 to 4 to consider the Letter of Representation dated 21.08.2020 and 21.10.2021 and to consequentially direct the Respondents Nos.1 to 4 to initiate proceedings in accordance with the procedure stipulated under Letter No.41530/U1/2017



dated 08.11.2017 issued by the Inspector General of Registration under the Registration Act, 1908 in a time bound manner.

For Petitioner : Mr.S.Manuraj

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

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O R D E R

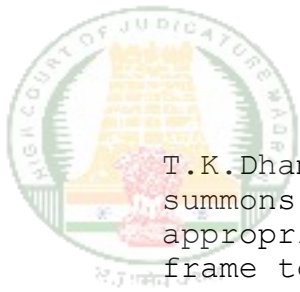
This Writ Petition has been filed to issue a Writ of Mandamus, directing the Respondents to consider the Letter of Representation dated 21.08.2020 and 21.10.2021 and to consequentially direct the Respondents to initiate proceedings in accordance with the procedure stipulated under Letter No.41530/U1/2017, dated 08.11.2017 issued by the Inspector General of Registration under the Registration Act, 1908 in a time bound manner.

2. Mr.Yogesh Kannadasan, learned Special Government Pleader takes notice for the respondents. In view of the limited relief sought for in this petition, on the consent expressed by the learned counsel appearing on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner is the owner of the property comprised in Survey No.9/2 to an extent of 0.33 cents situated at No.145, Neelankarai Village, Sholinganallur Taluk, Kancheepuram District, by way of two registered sale deeds, dated 28.08.1989 vide Document No.2914 of 1989 and Document No.2920 of 1989 dated 29.08.1989 on the file of SRO, Adyar. Subsequently, the petitioner's property was sub-divided and re-numbered as Survey No.9/2B. While so, some third parties i.e.Vasantha V.G. and T.K.Dhamodharan, created forged documents in the very same property for which the petitioner made a complaint to the third respondent, dated 21.08.2020 and also before the law enforcing agency in Crime No.62 of 2021, dated 02.06.2021. However, till date, no order has been passed on the same. Hence, this present petition is filed.

4. The learned counsel for the petitioner submitted that this Court may issue a direction to the third respondent to consider the petitioner's complaint, dated 21.08.2020 in terms of Section 68(2) of the Registration Act, 1908 and may pass appropriate orders within the stipulated time as may be fixed by this Court.

5. The learned Special Government Pleader appearing for the respondents, would submit that though the said Vasantha V.G. and



T.K.Dhamodharan are not the parties in the writ petition, proper summons will be issued to them and after conducting an enquiry, appropriate orders will be passed on merits within the time frame to be fixed by this court.

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6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the third respondent to consider the petitioner's complaint, dated 21.08.2020 and after giving an opportunity of hearing to the petitioner and the said Vasantha V.G. and T.K.Dhamodharan, pass orders on merits and in accordance with law, in terms of Section 68(2) of the Registration Act, 1908, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above directions, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector General of Registration,
Registration Department (Chennai),
No.100, Santhome High Road,
Pattinapakkam,
Chennai - 600 028.
2. The Additional Inspector General of Registration,
Registration Department (Chennai),
No.100, Santhome High Road,
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4. The Registrar,
Office of the Sub-Registrar,
Adyar, Kamaraj Avenue 2nd Street,
Venkata Rathinam Nagar, Adyar,
Chennai, Tamil Nadu - 600 020.

+1cc to Mr.S.Manuraj, Advocate, S.R.No.29608
+1cc to the Government Pleader, S.R.No.30896

W.P.NO.10470 OF 2022

SS (CO)
PBS/23/05/2022