



WEB COPY



W.P.No.32499 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.32499 of 2022

R.Shanthi

... Petitioner

Vs

1.The Inspector General of Registration
Office of Inspector General,
No.100, Santhome High Road,
Raja Annamalai Nagar,
Chennai – 600 028.

2.The District Registrar,
Ariyalur Registration District,
Ariyalur.

3.M.Sivanesan

4.Chinna Samy

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 2nd respondent to complete the enquiry initiated in his proceedings in ref.Na.Ka.En.2877/Aar4/2021 dated 22.07.2021, pursuant to the petitioner's complaint to 1st respondent's office and followed his letter in ref.13040/Aar2/2021 dated 29.04.2021.



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For Petitioner : Mr.R.Veeramani

For Respondents : Mr.R.P.Muruganraja
Government Advocate for R1 & R2

: Notice is dispensed with for R3 & R4

ORDER

The prayer sought for in this writ petition is for a Writ of Mandamus directing the 2nd respondent to complete the enquiry initiated in his proceedings in Ref.Na.Ka.En.2877/Aar4/2021 dated 22.07.2021, pursuant to the petitioner's complaint to 1st respondent's office and followed his letter in Ref.No.13040/Aar2/2021 dated 29.04.2021.

2. In respect of registration of a document i.e. Document No.1868 of 2018 at Valikandapuram Sub Registrar Office, the petitioner had given a complaint that it is a fraudulent registration as the property in question belongs to the petitioner, therefore he wanted to cancel the said registered document by the District Registrar/2nd respondent.

3. Pursuant to which, the District Registrar in fact on 22.07.2021 issued notice to the private parties i.e., respondents 3 and 4 who involved in the said registration.



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4. Even though such a notice was given by the 2nd respondent in July 2021 to conduct an enquiry and to pass orders as to the plea of the petitioner to cancel the fraudulent registration or otherwise so far since no orders have been passed, the petitioner has moved the present writ petition.

5. Heard Mr.R.Veeramani, learned counsel appearing for the petitioner and Mr.R.P.Muruganraja, learned Government Advocate for respondents 1 and 2.

6. In view of the order going to be passed in this writ petition, notice to the respondents 3 and 4 is hereby dispensed with.

7. The learned Government Advocate appearing for respondents 1 and 2 on instruction would submit that, the said complaint given by the petitioner pursuant to which enquiry if at all is completed, the same would be concluded by passing an order on merits and in accordance with law within a time frame that may be stipulated by this Court.



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8. Considering the said submission made by the learned Government

Advocate for respondents 1 and 2, this Court is inclined to dispose of this writ petition with the following orders:

(i) That there shall be a direction to the 2nd respondent/
District Registrar to pass orders on the petitioner's complaint dated 09.07.2021, in pursuance of the enquiry notice issued by the 2nd respondent dated 22.07.2021, on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

(ii) It is made clear that, if the 2nd respondent still has not completed the enquiry, the same shall be completed by hearing both sides and pass such orders as indicated above within the said period of six weeks.

9. With this direction, this Writ Petition is disposed of. No costs.

05.12.2022

Index : Yes / No
Speaking Order : Yes / No

Sgl



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To

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- 2.The District Registrar,
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R. SURESH KUMAR, J.

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