



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P. No.11521 of 2022

Chitra Mani,
Rep by Power of Attorney
Mrs. Geetha Mohan

...Petitioner

vs.

- 1 The District Registrar (South)
9, Jeenis Road, Sidapet, Chennai-600 015.
- 2 G.Ramu
- 3 R.Vimalan
- 4 M.Vivekanandam
- 5 M/s.Chennai Housing Development
Finance Corporation Ltd., 2nd Floor,
L.T.C. Centre, Anna Salai, Chennai-600 002.

...Respondents

PRAYER:Writ Petitions filed under Article 226 of the Constitution of India, to issue an order or direction or Writ and in particular Writ in the nature of a Writ of Mandamus directing the 1st respondent to consider and dispose of the pending Representation/Appeal (numbered as 411 / Aa 1 / 2022) dated 28.01.2022 seeking to take in cognizance and to cancel the registration of the fraudulently registered documents (Doc.No 4759 of 2014 dated 14/07/2014, Doc. No 4760 of 2014 dated 14/07/2014, Doc. No 4100 of 2013, dated 11/07/2013, Doc. No 5432 of 2013, dated 18/09/2013) in order to secure petitioners property within a Stipulated time framed by this Honorable Court.

For Petitioner : Mr. M.Velmurugan

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader



ORDER

The petition has filed directing the 1st respondent to consider and dispose of the pending Representation/Appeal (numbered as 411 / Aa 1 / 2022) dated 28.01.2022 seeking to take in cognizance and to cancel the registration of the fraudulently registered documents (Doc.No 4759 of 2014 dated 14/07/2014, Doc. No 4760 of 2014 dated 14/07/2014, Doc. No 4100 of 2013, dated 11/07/2013, Doc. No 5432 of 2013, dated 18/09/2013) in order to secure petitioners property within a Stipulated time framed by this Honorable Court.

2. According to the petitioner, she is representing as Power of Attorney to Mrs. Chitra Mani, w/o. Balaraman Mani, who is the absolute owner of the vacant property at Plot No.88, Sadasiva Nagar North, 2nd Main Road, Madipakkam, Chennai with an extent of 4320 Sq.ft., which was settled by her father Shri K. Kupusamy vide Doc.No.2522 of 1984 dated 10.08.1984. While so, during the year 2014 the fourth respondent erected a signboard stating "Not for sale". Upon enquiry, it was found that the third respondent by settlement deed dated 11.07.2013 vide Doc.No.4100 of 2013 claimed ownership of the disputed property and the same was transferred to the fourth respondent vide Doc.No.4759 dated 14.07.2014. Further, a memorandum of deposit of title deed was executed in favour of the fourth respondent Finance corporation. Against this constructed forged and fabricated documents, the petitioner filed a complaint before the Commissioner of Police and FIR were also registered against the respondent 2 to 4. Further, the principal had filed a suit in O.S.No.413 of 2018 against the respondents 2 to 5 seeking for declaration of Doc.Nos. 4100 of 2013, 5432 of 2013, 4759 of 2014 & 4760 of 2014 as null and void, which is pending before the District Munsif, Alandur. Further, a representation was given to the the first respondent on 28.01.2022 and the said representation is numbered as 411/M1/2022 which is still pending without any action. Hence, this writ petition.

3. The learned counsel for the petitioner submitted that this court may issue a direction to the first respondent to consider and dispose of the petitioners' appeal and pass appropriate order within the stipulated time as fixed by this Court.

4. Heard the learned counsel for the petitioner and the learned Addl. Government Pleader appearing on behalf of the first respondent and perused the materials available on record. No adverse order is passed against the respondents 2 to 5 and hence, their presence is dispensed with.



5. Considering the facts and circumstances of the case and the limited request sought for by the petitioner, this Court directs the first respondent to dispose of the appeal dated 28.01.2022 filed by the petitioner, after hearing the petitioner as well as the respondents 2 to 5, on merits and in accordance with law, as expeditiously as possible.

6. With the above direction, these writ petitions are disposed of. No costs.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

Rli

To

The District Registrar (South)
9, Jeenis Road, Sidapet,
Chennai-600 015.

+1cc to Government Pleader SR. No. 31018

+1cc to Mr.M.Velmurugan, Advocate SR. No. 33657 (20/06/2022)

W.P. No.11521 of 2022

MG (CO)

PR (23/05/2022)