



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.26928 of 2021

S.Sathishkumar

... Petitioner

Vs

1. The Principal Secretary cum Commissioner for
Rehabilitation and Welfare of Non Resident Tamil
Government of Tamil Nadu,
Secretariat,
Chennai.
2. The District Collector,
Collectorate Buildings,
Salem District.
3. The Revenue Divisional Officer,
Collectorate Buildings,
Salem.
4. The Tahsildhar,
Vazhapadi,
Salem District.
5. The District Registrar,
Office of the District Registrar,
Salem.
6. The Sub-Registrar,
Vazhapadi,
Salem District.
7. Chakravarthy

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent to pass appropriate orders pursuant to the recommendation made by the third respondent made in proceedings No.Na.Ka.No.6772/2015/A3/dated 19.05.2018 for initiating action before the fifth respondent for removal of the entries of fraudulent sale deed Document No.3522/2007 dated 26.12.2007 in



the Encumbrance Certificate and proceed in accordance with law within the stipulated time as that may be fixed by this Court.

For Petitioner : Mr.N.Umapathi

For Respondents : Mr.V.Jeevagiridharan
Additional Government Pleader
(for R1 to R4)
: Mr.Yogesh Kannadasan (for R5 & R6)
Spacial GP

ORDER

This writ petition is filed to issue a Writ of Mandamus, to direct the second respondent to pass appropriate orders pursuant to the recommendation made by the third respondent made in proceedings No.Na.Ka.No.6772/2015/A3/dated 19.05.2018 for initiating action before the fifth respondent for removal of the entries of fraudulent sale deed Document No.3522/2007 dated 26.12.2007 in the Encumbrance Certificate and proceed in accordance with law within the stipulated time as that may be fixed by this Court.

2. Considering the limited relief sought for in the petition, without expressing any opinion on merits of the writ petition, the second respondent is directed to conduct enquiry pursuant to the recommendation made by the third respondent made in proceedings No.Na.Ka.No.6772/2015/A3/dated 19.05.2018 for initiating action before the fifth respondent for removal of the entries of fraudulent sale deed Document No.3522/2007 dated 26.12.2007 in the Encumbrance Certificate, after issuance of notice to the petitioner, the seventh respondent and counter parties, if any and after giving opportunity of hearing to them, pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

3. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary cum Commissioner for Rehabilitation and Welfare of Non Resident Tamil Government of Tamil Nadu, Secretariat, Chennai.
2. The District Collector, Collectorate Buildings, Salem District.
3. The Revenue Divisional Officer, Collectorate Buildings, Salem.
4. The Tahsildhar, Vazhapadi, Salem District.
5. The District Registrar, Office of the District Registrar, Salem.
6. The Sub-Registrar, Vazhapadi, Salem District.

+1cc to Mr.N.Umapathi, Advocate, S.R.No.2693
+1cc to the Government Pleader, S.R.No.3079

W.P.No.26928 of 2021

CA (CO)
CT 28/01/2022