



W.P.No.27925 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No. 27925 of 2022

M. Sathyavathi

... Petitioner

Versus

1. The Inspector General of Registration
Office of Registration
No. 100, Santhome High Road
Mullima Nagar, Mandavelipakkam
Raja Annamalaipuram, Chennai - 600 028.

2. The District Registrar
Chennai South Registration District
Nandhanam, Chennai-600 035.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 & 2 to take suitable legal actions as per the guidelines prescribed under Circular Letter No.41530/U1/2017, dated 25.03.2022 issued by the first respondent and dispose of the representation of the petitioner dated 22.04.2022.



WEB COPY



W.P.No.27925 of 2022

For Petitioner : Mr.B.Eswaran
For Swaraj Associates

For Respondents : Mr.C.Kathiravan
Special Government Pleader

ORDER

The petitioner has filed this writ petition seeking for issuance of Writ of Mandamus, directing the respondents 1 & 2 to take suitable legal action as per the guidelines prescribed under Circular Letter No.41530/U1/2017, dated 25.03.2022 issued by the first respondent and dispose of the representation of the petitioner, dated 22.04.2022.

2. According to the petitioner, she is the owner of the property comprised in S.Nos.75/11, 76/4 and 76/9, measuring a total extent of 0.76 cents, situated at Hasthinapuram Village, Chitlapakkam, Chennai-600 064. She had executed a Power of Attorney, dated 24.03.2021 in favour of one Syed Jaffar vide Doc.No.2995/2021 on the file of Sub Registrar Office, Pallavaram, Chennai. The Power Agent had given a Life Certificate without the knowledge of the petitioner and had created a forged and fabricated documents and executed registered a sale deed vide Doc.No.7894 of 2021,



W.P.No.27925 of 2022

dated 09.06.2021 in favour of the third party, namely, M/s.Global Thermal Control Systems Private Limited. In this regard, the petitioner made a representation dated 22.04.2022 to the respondents requesting suitable action for malicious act of creating forged, fabricated document being the life certificate of the petitioner. After receiving the same, the respondents have not taken any steps in this regard. Hence this petition.

3. The learned counsel appearing for the petitioner submitted that without going into the merits of the case, it would suffice, if this Court issues a direction to the respondents to consider the petitioner's representation dated 22.04.2022 and to pass appropriate orders within a reasonable time frame.

4. Considering the facts and circumstances of the case, admittedly the petitioner executed Power of Attorney in favour of one Syed Jaffer on 24.03.2021 and the same was not cancelled till the execution of sale deed bearing Document No.7894 of 2021, dated 09.06.2021 in favour of third party, namely, M/s.Global Thermal Control Systems Private Limited. The grievance of the petitioner is that Syed Jaffer gave life certificate for which,



W.P.No.27925 of 2022

the petitioner made a complaint before the first respondent and the same was not considered. However, the issue arises is purely civil dispute which has to be ventilated before the civil Court or before the Law Enforcing Agency. This allegation is not under the purview of Section 22-B of the Registration Act. Hence, the prayer sought for in the present writ petition cannot be granted.

5. Accordingly, the writ petition is dismissed with liberty to the petitioner to work out the remedy in the manner known to law.

20.10.2022

msm
Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No



W.P.No.27925 of 2022

WEB COPY

- To
1. The Inspector General of Registration
Office of Registration
No. 100, Santhome High Road
Mullima Nagar, Mandavelipakkam
Raja Annamalaipuram, Chennai - 600 028.
 2. The District Registrar
Chennai South Registration District
Nandhanam, Chennai-600 035.



WEB COPY



W.P.No.27925 of 2022

M.DHANDAPANI, J.

msm

W.P.No. 27925 of 2022

20.10.2022