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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.4364 of 2017

T.Samundeswari

...Petitioner

Vs

1. The Sub-Registrar,
Kundrathur,
Chennai - 69.

2. R.Ranganathan

3. R.Ravi

4. The District Registrar,
Kancheepuram District.

...Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent herein to consider the petitioner's representation dated 18.11.2016 in conducting an enquiry in order to commence prosecution as provided under Section 83 of the Registration Act, 1908.

For Petitioner : Mr.P.G.Raja Mahendra Pandian

For Respondents : Mr.Yogesh Kannadasan

Special Government Pleader (for R1 & R4)

ORDER

This writ petition is filed to issue a Writ of Mandamus to direct the first respondent herein to consider the petitioner's representation dated 18.11.2016 for conducting an enquiry in order to commence prosecution as provided under Section 83 of the Registration Act, 1908.

2. The petitioner submitted the said representation dated 18.11.2016 before the first respondent to conduct enquiry under Section 83 of the Registration Act, 1908 in respect of the fraudulent transactions committed by the respondents 2 and 3 herein for the property comprised in S.No.263/2A2 ad-measuring an extent of 3,200 sq.ft and 1,600 sq.ft. However, the fourth



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respondent is the authority to consider the complaint/representation lodged by the petitioner herein. That apart, the petitioner made the said representation dated 18.11.2016 and it may not be available with the authorities concerned.

3. Considering the above facts and circumstances of the case, the petitioner is directed to submit a fresh complaint/representation with regard to the fraudulent transactions before the fourth respondent, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the fourth respondent is directed to conduct enquiry, after issuance of notice to the petitioner and the respondents 2 and 3 herein and after giving an opportunity of hearing to them, pass orders on merits and in accordance with law, within a period of twelve weeks thereafter.

4. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

kv

To

1. The Sub-Registrar,
Kundrathur,
Chennai - 69.
2. The District Registrar,
Kancheepuram District.

+1cc to Government Pleader, SR.NO.4000

W.P.No.4364 of 2017

SJ(CO)
KKV/02/02/2022