



W.P.No.33223 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.33223 of 2022

Mrs.Daisy

... Petitioner

-Vs-

1. Deputy Inspector General of Registration,
Saidapet, Register Office,
Saidapet, Chennai – 35.

2. District Registrar,
Joint-I, Register Office,
Saidapet, Chennai – 35.

... Respondents

Prayer : Writ Petitions under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to consider the petitioner representation dated 01.09.2022 and cancel the registration of forged documents bearing document Nos.7575/2013, 10121/2013 and 11669/2013.

For Petitioner : Mr. G.Balaji Venkateswaran

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader



W.P.No.33223 of 2022

ORDER

WEB COPY

The prayer sought for in this writ petition is for a writ of mandamus directing the respondents to consider the petitioner representation dated 01.09.2022 and cancel the registration of forged documents bearing document Nos.7575/2013, 10121/2013 and 11669/2013.

2. In respect of the property at S.No.311/2 measuring to an extent of 2166 sq.ft along with building at No.8, Velachery Main Road, Pallikaranai Village, Sholinganallur Taluk, Kanchipuram District, it is a claim of the petitioner that, the said property belongs to the petitioner, however, in the year 2013 as well as subsequently in the year 2017, some third parties have made a fraudulent encumbrance in the said property by way of settlement deed, mortgage etc.,

3. Therefore, in order to cancel those documents as a fraudulent one or bogus one, the petitioner had given a complaint to the respondents especially the second respondent under Section 77-A of the Registration Act, 1908 [in shorty, "the Act"].



W.P.No.33223 of 2022

4. In order to enquire the matter and decide the same by the second respondent, the petitioner has moved the present writ petition with the aforestated prayer.

5. Heard Mr.Balaji Venkateswaran, learned counsel appearing for the petitioner, who having reiterated the aforesaid would seek indulgence of this Court.

6. Heard Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for the respondents, who would submit that, if the complaint has been made by the petitioner under Section 77A of the Act to the second respondent, which would be enquired upon and after hearing both sides, it will be decided within a time frame that may be stipulated by this Court.

7. Having regard to the said submission made by both sides especially the stand of the learned Special Government Pleader appearing for the respondents, this Court is inclined to dispose of this writ petition with the following orders:



W.P.No.33223 of 2022

That there shall be a direction to the second respondent to decide the complaint given by the petitioner dated 01.09.2022 under Section 77-A of the Registration Act after giving an opportunity of being heard to the petitioner as well as the other third party against whom such complaint has been made by the petitioner on merits and in accordance with law within a period of six(6) weeks from the date of receipt of copy of this order.

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

12.12.2022

Index : Yes/No
Internet : Yes/No
mp

To

1. Deputy Inspector General of Registration,
Saidapet, Register Office,
Saidapet, Chennai – 35.
2. District Registrar,
Joint-I, Register Office,
Saidapet, Chennai – 35.



WEB COPY



W.P.No.33223 of 2022

R. SURESH KUMAR, J.

mp

W.P.No. 33223 of 2022

12.12.2022