



WEB COPY



W.P.No.33649 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.33649 of 2022

M.Kaveri

... Petitioner

Vs

1.The District Registrar,
Dharmapuri District,
Dharmapuri.

2.Palanisamy

3.Perumal

4.Munusamy

5.Murugan

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 1st respondent to cancel the Sale Deed, vide Doc.No.1412/2022 dated 11.07.2022 by disposing of the representation given by the petitioner dated 26.08.2022.

For Petitioner : Mr.A.Sakthivel

For Respondents : Mr.Yogesh Kannadasan

Special Government Pleader for R1

ORDER

The prayer sought for herein is for a writ of mandamus directing the 1st respondent to cancel the Sale Deed, vide Doc.No.1412/2022 dated 11.07.2022 by disposing of the representation given by the petitioner dated 26.08.2022.



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2. In respect of a document No.1412/2022 on the file of the Barur Sub

Registrar, the petitioner had given a representation to the 1st respondent District Registrar against the private respondents to seek for an enquiry and to cancel the said document as according to the petitioner, the said document registered in the concerned registered office is a fraudulent and bogus document. The said complaint has been given before the 1st respondent under Section 77-A of the Registration Act.

3. In order to consider the said complaint and to decide the same after conducting the enquiry, the petitioner has moved the present writ petition with the aforestated prayer.

4. Heard Mr.A.Sakthivel, learned counsel appearing for the petitioner and Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for the 1st respondent.

5. The learned Special Government Pleader would submit that the said complaint given by the petitioner dated 26.08.2022 would be enquired and decided after giving an opportunity to both sides under Section 77-A of the Act within a reasonable time that may be stipulated by this Court.



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6. Having regard to the said stand taken by the learned Special Government Pleader for the 1st respondent, this Court is inclined to dispose of this writ petition with the following order:

That there shall be a direction to the 1st respondent to enquire upon the complaint made by the petitioner dated 26.08.2022 against the private respondents and decide the same on merits and in accordance with law after giving opportunity of being heard to both the petitioner as well as the private respondents within a period of eight weeks from the date of receipt of a copy of this order.

7. With this direction, this Writ Petition is disposed of. No costs.

15.12.2022

Index : Yes/No

Speaking Order : Yes/No

Sgl

To

The District Registrar,
Dharmapuri District,
Dharmapuri.

R.SURESH KUMAR, J.



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