



W.P.No.34128 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.34128 of 2022

T.Rajendran

.... Petitioner

-Vs-

1.The Inspector General of Registration
The Registration Department Office
No.100, Santhome High Road,
Pattinapakkam, Chennai 600 028.

2.The District Registrar
District Registration Department
No.9, W Jones Road
Saidapet, Chennai 600 015.

3.The Sub Registrar
Sub Registrar Office
No.2/92, SH 49, Karura Garden
Neelangarai, Chennai 600 041.

4.T.Sivasankar

5.Pangajam

6.Shobana

7.S.Mohanraj

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 2nd respondent to consider the petitioner's representation dated 18.10.2022 to cancel the forged settlement



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deeds registered by the 3rd respondent through T.Sivasankar to and in favour of his daughters and son namely Pangajam, Shobana and S.Mohanraj on 14.07.2004 vide document Nos.3977/2004, 3976/2004 and 3975/2004, S.R.O., Neelangarai. The properties are situated at Chennai District, in Sholinganallur Taluk, Karapakkam Village.

For Petitioner : Mr.J.Arun Prakasam

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader – for RR 1 to 3
Notice dispensed with – RR 4 to 7

ORDER

The prayer sought for herein is for a Writ of Mandamus directing the 2nd respondent to consider the petitioner's representation dated 18.10.2022 to cancel the forged settlement deeds registered by the 3rd respondent through T.Sivasankar to and in favour of his daughters and son namely Pangajam, Shobana and S.Mohanraj on 14.07.2004 vide document Nos.3977/2004, 3976/2004 and 3975/2004, S.R.O., Neelangarai. The properties are situated at Chennai District, in Sholinganallur Taluk, Karapakkam Village.

2. It is the case of the petitioner that the property situated at S.Nos.123/6, 123/7, 123/8, Karapakkam Village, Sholinganallur Taluk, Chennai District is inherited by him from his grandfather.



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3. In respect of the said property, according to the petitioner some third parties have meddled with the same and created an encumbrance and those documents have been registered at the 3rd respondent office. Therefore, in order to cancel the said documents, the petitioner has given a representation / complaint to the 2nd respondent on 18.10.2022 and in order to consider the same, to dispose of the said complaint. the petitioner has moved the present writ petition.

4. Reiterating the aforesaid facts, Mr.J.Arul Prakasam, learned counsel for the petitioner seeks the indulgence of this Court.

5. Heard Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for the respondents who would submit that, if at all any complaint has been given on 18.10.2022 by the petitioner against the private respondents before the 1st respondent with regard to the alleged registration of fraudulent documents, that would be considered within the meaning of Section 77A of the Registration Act.

6. Having regard to the said submission made by the learned counsel for the parties, especially the stand of the learned Special Government Pleader and in view of the order that is going to be passed in this writ petition, having



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dispensed with the notice to be issued to the private respondents, this Court is inclined to dispose of this writ petition with the following order.

“That there shall be a direction to the 2nd respondent to consider the complaint / representation submitted by the petitioner dated 18.10.2022 and decide the same after giving an opportunity of being heard to the petitioner as well as the private respondents and pass orders thereon on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.”

7. With the above directions, this writ petition is disposed of. No costs.

21.12.2022

Index : Yes/No
Internet : Yes/No
KST

To



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R. SURESH KUMAR, J.

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