



W.P.No.34377 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.12.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.34377 of 2022

C.Tamil Selvan

... Petitioner

-Vs-

1. The Inspector General of Registration,
Registration Department,
No.100, Santhome High Road,
Chennai – 600 006.

2. The Sub-Registrar,
Vadalur,
Cuddalore District.

3.N.Padmavathi

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 24.06.2022 and pass suitable orders.

For Petitioner : Ms.P.Dhanalakshmi

For Respondent : Mr.Yogesh Kannadasan
Special Government Pleader [R1
and R2]



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ORDER

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The prayer sought for herein is for a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 24.06.2022 and pass suitable orders.

2. Insofar as the two documents viz., 1786 and 1787 of 1989 dated 25.10.1989 and 26.10.1989 on the file of the second respondent are concerned, it is a claim of the petitioner that, those documents are fraudulent documents, hence, in order to cancel the same, the petitioner had given a representation on 24.06.2022 to the first respondent and in order to consider the same and to pass orders thereon, the petitioner has moved the present writ petition.

3. Heard Ms.P.Dhanalakshmi, learned counsel appearing for the petitioner and Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for the first and second respondents.

4. Learned Special Government Pleader appearing for the first and second respondents would submit that, insofar as the cancellation of the



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document, even if it is fraudulent document that has to be enquired into based on the complaint to be given by the aggrieved party and that power is only vested with the District Registrar concerned. Therefore, if at all the petitioner has got any grievance over such document, he must have given such complaint to the District Registrar concerned and not to the Inspector General of Registration, therefore, if any such complaint is given that would be considered and enquiry would be conducted on merits and in accordance with law and ultimately it would be disposed of.

5. Considering the said submission made by the learned Special Government Pleader appearing for the first and second respondents, this Court feels that, the petitioner can be directed to give a copy of the complaint already given to the first respondent dated 24.06.2022 to the concerned District Registrar.

6. Accordingly, this Court is inclined to dispose of this writ petition with the following order:

That it is open to the petitioner to give a copy of the



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complaint/representation dated 24.06.2022 already given to the first respondent to the District Registrar Administration at Cuddalore District and on receipt of the same, the District Registrar concerned shall verify the veracity of the complaint given by the petitioner by conducting an enquiry and pass necessary order after giving an opportunity of being heard to the petitioner as well as the person against whom such complaint has been given within the meaning of Section 77-A of the Registration Act, 1908 within a period of eight(8) weeks from the date of receipt of a copy of this order.

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

23.12.2022

Index : Yes/No
Speaking order: Yes/No

mp



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To

1. The Inspector General of Registration,
Registration Department,
No.100, Santhome High Road,
Chennai – 600 006.
2. The Sub-Registrar,
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R. SURESH KUMAR, J.

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