



WP.No.26396 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2022

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

WP.No.26396 of 2017
and W.M.P.No.28057 of 2017

V.Koteeswari

.. Petitioner

Versus

1.The Inspector General of Registration
100, Santhome High Road
Pattinapakkam
Chennai – 600 028

2.The District Registrar (Administration)
North Chennai
No.1, Murthugal Lane
Chennai – 600 001

3.The Sub Registrar
44/5, Vallalar Street
Bye-Pass Road
Redhills, Chennai – 600 052

4.G.Parasuraman
5.P.Senthil

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus, directing the respondents 1 to 3 to take necessary action on the Petitioner's representation dated 10.07.2015 submitted to the 1st Respondent Copies of which were addressed to the Respondents 2 and 3 thereby to cancel the Settlement Deed dated 04.08.2006 executed by the 4th Respondent in favour of 5th Respondent which is null, void, sham, nominal and collusive registered before the 3rd Respondent as Document No.6257/2006 in respect of the Petitioner's property namely 12 cents comprised in Survey



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No.73 of Vadaperumbakkam Village, formerly Saidapet Taluk, Chengalpattu District, Presently Madhavaram Taluk, Thiruvallur District.

WEB COPY

For Petitioner : Mr.N.R.Gopalan

For Respondents : Mr.C.Kathiravan for R1 to R3
Special Government Pleader
Mr.R.Munusamy for R4 & R5

ORDER

This petition has been filed seeking to direct the respondents 1 to 3 to take necessary action on the Petitioner's representation dated 10.07.2015 submitted to the 1st Respondent, thereby to cancel the Settlement Deed dated 04.08.2006 executed by the 4th Respondent in favour of 5th Respondent which is null, void, sham, nominal and collusive registered before the 3rd Respondent as Document No.6257/2006 in respect of the Petitioner's property comprised in Survey No.73 of Vadaperumbakkam Village, formerly Saidapet Taluk, Chengalpattu District, Presently Madhavaram Taluk, Thiruvallur District.

2. The case of the petitioner is that the petitioner father namely Mr.Govindasamy purchased the subject property during the year 1973. The petitioner father died on 13.07.2007 and the petitioner and her sister are the two legal heirs. The grievance of the petitioner is that the third respondent has manipulated the documents as if the petitioner's father has executed a settlement deed in his favour and had registered and the third respondent further had



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executed a release deed in favour of the fourth respondent which has created encumbrance. Aggrieved, the petitioner sent a representation before the first respondent on 10.07.2015 and in view of the same, the first respondent sent a letter to the second respondent in Mu.Mu.No.31489/U-2/2-15 dated 07.08.2015 for taking action forthwith. Further, the petitioner appeared for enquiry on 18.04.2016 and 12.09.2016. However, till date no order was passed. Hence, this writ petition.

3. Though very many grounds have been raised in this writ petition, learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the first respondent to conclude the proceedings in Mu.Mu.No.31489/U-2/2-15 dated 07.08.2015 and pass appropriate orders in accordance with law.

4. The learned Special Government Pleader as well as the learned counsel for the fourth respondent have no objection for the said order being passed.

5. Considering the limited relief as sought for by the learned counsel for the petitioner, this Court without expressing any opinion on the merits of the case, issues direction to the first respondent to conclude the proceedings in



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Mu.Mu.No.31489/U-2/2-15 dated 07.08.2015 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of copy of this order.

6. With the above directions, these Writ Petitions are disposed of. No costs. Consequently, connected miscellaneous petition is closed.

08.11.2022

dhk

Index:Yes/No

Internet:Yes/No

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