



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.3098 of 2022

K.Duraipandi

... Petitioner

Vs.

1.The Inspector General of Registration,
No.80, Santhom Highways Road,
Chennai.

2.The District Registrar,
O/o. The District Registrar,
Dindigul District.

3.The Sub Registrar,
Sub Registrar Office Joint - I,
Dindigul,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the second respondent to cancel the illegal registration vide forged documents No.1849/2015, dated 15.05.2015 and release deed in No.208 of 2022, dated 22.09.2021 on the file of the third respondent as per Tamil Nadu Government Gazette in L.A.Bill No.27 of 2021 dated 02.09.2021 in connection with petitioner's property situated at Seelabadi Revenue Village, Dindigul Taluk, Dindigul District, now Survey No.463/1C1 in the light of the petitioner representations dated on 22.09.2021 and 31.01.2022.

For Petitioner : Mr.C.M.Ganesan

For Respondents : Mr.J.John Rajadurai,
Government Advocate

O R D E R

This writ petition has been filed for a mandamus seeking for a direction to the second respondent to cancel the alleged forged document registered as Document No.1849 of 2015 dated 15.05.2015 and release deed registered as Document No.208 of 2022 dated 22.09.2012 which have been registered with the third respondent based on the petitioner's representation dated 22.09.2021 within a time frame to be fixed by this Court.



2.The aforementioned registered document pertains to the property situated at Seelabadi Revenue Village, Dindigul Taluk, Dindigul District, old Survey No.463/1, new Survey No.463/1C1 measuring an extent of 1 acre 48 cents. According to the petitioner, the aforementioned documents are forged documents and hence he has given representations on 22.09.2021 and 31.01.2022 requesting the respondents to cancel the aforementioned documents. Since the said representations have not been considered till date, he has filed this writ petition.

3.Heard Mr.C.M.Ganesan, learned Counsel appearing for the petitioner and Mr.J.John Rajadurai, learned Government Advocate who accepts notice on behalf of the respondents.

4.It is claimed by the petitioner that the property conveyed under the aforementioned registered documents are in his peaceful possession and enjoyment. According to him, a forgery has been committed and the aforementioned documents were registered. Along with the writ petition, the petitioner has filed certain documents in support of his case. He also relies upon the Tamil Nadu Government Gazette dated 02.09.2021 which according to him enables the respondents to cancel registered documents in case of forgery.

5.No prejudice would be caused to the respondents if the petitioner's representations dated 22.09.2021 and 31.01.2022 requesting for cancellation of the documents bearing Registration No.1849 of 2015 dated 15.05.2015 and release deed dated 22.09.2021 registered as Document No.208 of 2022 is considered on merits and in accordance with law within a time frame to be fixed by this Court after affording a fair opportunity of hearing to the petitioner and to the parties in whose favour the said documents were registered.

6.For the foregoing reasons, this Court directs the second respondent to consider the representations of the petitioner dated 22.09.2021 and 31.01.2022 seeking for cancellation of the registration of the documents dated 15.05.2015 registered as Document No.1849 of 2015 and release deed dated 22.09.2021 registered as Document No.208 of 2021 and pass final orders on merits and in accordance with law within a period of twelve [12] weeks from the date of receipt of a copy of this order after affording a fair opportunity of hearing to the petitioner and the parties in whose favour the aforementioned registered documents stand.



7. With the aforesaid direction, this writ petition stands disposed of. There shall be no order as to costs.

WEB COPY

Sd/-

Assistant Registrar(Writs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

NOTE: *In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.*

To

1. The Inspector General of Registration,
No.80, Santhom Highways Road,
Chennai.

2. The District Registrar,
O/o. The District Registrar,
Dindigul District.

3. The Sub Registrar,
Sub Registrar Office Joint - I,
Dindigul,
Dindigul District.

+1 CC to M/s.SPL GP (SR-7148[F] dated 18/02/2022)

+1 CC to M/s.C.M.GANESAN, Advocate (SR-7456[F] dated 21/02/2022)

ORDER MADE IN
W.P. [MD]No.3098 of 2022
17.02.2022

sk(CO)

TR(03.03.2022) 3P 6C