



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.02.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.3139 of 2022

Nagarajan

... Petitioner

vs.

1.The District Registrar,
District Registrar Office,
Madurai.

2.The District Registrar,
District Registrar Office, Sivagangai.

3.The Tahsildar,
Taluk Office, Thiruppuvanaam Taluk,
Sivagangai District.

4.D.Jeyanthirani

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent to cancel the forgery Documents in Document No.3222/2020 dated 02.11.2020 and Document No.3733/2020 dated 30.11.2020 on base the petitioner's representations dated 03.12.2020 and 01.02.2022 within a time stipulated by this Court.

For Petitioner :Mr.K.Gokul

For Respondents :Mr.S.Shanmugavel
1to3 Additional Government Pleader

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the first respondent to consider the petitioner's representations, dated 03.12.2020 and 01.02.2022 requesting the first respondent to cancel the alleged forgery documents, namely, Document No.3222/2020 dated 02.11.2020 and Document No.3733/2020 dated 30.11.2020, and pass final orders within a time frame to be fixed by this Court.

2.It is the case of the petitioner that the property, which is the subject matter of the aforementioned documents, has been inherited by the petitioner subsequent to the death of his father. The petitioner has also filed in the typed set of papers, certain documents in support of his ownership. According to him, the aforementioned documents have been registered on account of forgery. The petitioner has given representations, dated 03.12.2020 and



01.02.2022, to the official respondents seeking for cancellation of the aforementioned documents. Since the said representations have not been considered till date, he has filed the present Writ Petition.

3. Heard Mr.K.Gokul, learned Counsel for the petitioner and Mr.S.Shanmugavel, learned Additional Government Pleader for the respondents 1 to 3.

4. The petitioner claims that he is the owner of the property, which is the subject matter of the aforementioned documents. He has also filed certain documents along with the Writ Petition to show that he is the owner of the property. According to him, fraudulently and by committing the act of forgery, the aforementioned documents have been registered. He has given representations on 03.12.2020 and 01.02.2022 to the official respondents seeking for cancellation of the aforementioned documents on account of forgery. Admittedly, the said representations have not been considered till date.

5. No prejudice will be caused to the respondents including the fourth respondent, who is the rival claimant, if the petitioner's representation is considered on merits and in accordance with law after affording a fair hearing to the petitioner as well as the fourth respondent and any other rival claimant within a time frame to be fixed by this Court.

6. Accordingly, this Court directs the first respondent to consider the petitioner's representations, dated 03.12.2020 and 01.02.2022 seeking for cancellation of the alleged forgery documents in Document No.3222/2020 dated 02.11.2020 and Document No.3733/2020 dated 30.11.2020 and pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner as well as the fourth respondent and other rival claimants, if any, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above observations, this Writ Petition is disposed of. No costs.

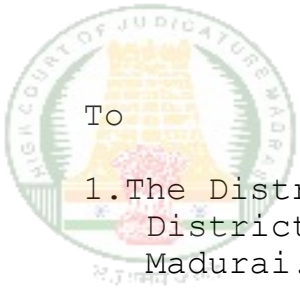
Sd/-

Assistant Registrar (DR-A/C)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



To

1.The District Registrar,
District Registrar Office,
Madurai.

2.The District Registrar,
District Registrar Office, Sivagangai.

3.The Tahsildar,
Taluk Office, Thiruppuvanaam Taluk,
Sivagangai District.

+1 CC to M/s.SPL GP (SR-7082[F] dated 18/02/2022)

+1 CC to M/s.K.GOKUL, Advocate (SR-7569[F] dated 21/02/2022)

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17.02.2022

RK(03/03/2022) 3P 6C