



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.3502 of 2022

WEB COPY

M.Pandiyan

... Petitioner

Vs.

1.The Inspector General of Registration,
Inspector General of Registration Office,
Chennai - 600 028.

2.The District Registrar,
Karur District,
Karur.

3.The Sub-registrar,
Tharagampatti,
Karur District,
Karur.

4.P.Veluchamy

5.V.Ravi

6.D.Vasantha

7.S.Veerappan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the second respondent herein to conduct and complete the enquiry as per the Section 83 of registration act and pass orders within the time stipulated on the petitioner's complaint dated 09.08.2021 regarding the fraudulent registration in respect of property comprised in Survey No.636/1 and 636/2 to an extent of 18 acre situated at Palaviduthi Village, Kadavur Taluk, Karur District.

For Petitioner : Mr.K.S.Duraipandian

For Respondents 1 to 3 : Mr.S.Shanmugavel

Additional Government Pleader

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the second respondent to conduct and complete the enquiry as per Section 83 of the Registration Act based on the petitioner's representation dated 09.08.2021 under which he has



requested the official respondents to cancel the documents which were registered in the year 2013 on the ground that the said documents have been fraudulently registered at the instance of the private respondents.

2.No reasons have been given whatsoever in the affidavit filed in support of this writ petition or in the representation dated 09.08.2021 as to why the petitioner did not seek for cancellation of those documents earlier, though the said documents were registered as early as in the year 2013 itself. Therefore, this Court is of the considered view that on the ground of laches, the present writ petition is not maintainable that too in a case involving disputed questions of fact when admittedly the documents were registered in the year 2013. If at all the petitioner is aggrieved, he has to approach the Civil Court seeking for cancellation of those documents and seeking for declaration that the properties registered in the year 2013 are joint family properties.

3.Accordingly, this writ petition is disposed of, by granting liberty to the petitioner to approach the Civil Court for getting the relief sought for by him in this writ petition. However, it is made clear that with regard to the limitation issue, the Civil Court shall decide the same on merits and in accordance with law. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS-III)

// 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,
Inspector General of Registration Office,
Chennai - 600 028.



2.The District Registrar,
Karur District,
Karur.

3.The Sub-registrar,
Tharagampatti,
Karur District,
Karur.

+1 CC to M/s.SPL GP (SR-8696[F] dated 25/02/2022)

ORDER MADE IN
W.P. [MD]No.3502 of 2022
24.02.2022

sk(CO)
TR(10.03.2022) 3P 5C