



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.03.2022

CORAM:

THE HONOURABLE **MR. JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.4616 of 2022

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Perumal

... Petitioner

/Vs./

1. The Inspector General of Registration,
No.100, Santhom High Road, Chennai-28.

2. The District Registrar (Administration),
Sivagangai District,
Sivagangai.

3. The Sub Registrar,
Mathagupatti Sub Registrar's Office,
Mathagupatti,
Sivagangai District.

4. Chellammal

5. Mailvahanan

... Respondents

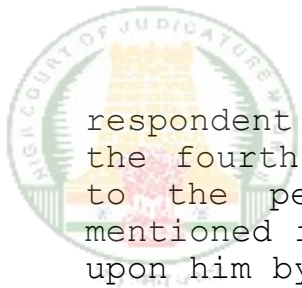
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd Respondent to conduct an enquiry and pass appropriate orders as per circular of the Inspector General of Registration, Chennai in Circular No.41530/U1/2017 dated 08.11.2017 on the basis of petitioner's representation dated 25.08.2021 and take appropriate action against the culprits within time frame fixed by this Court.

For Petitioner : Mr.T.Vadivelan
For Respondents : Mr.J.John Rajadurai
Government Advocate
for R1 to R3

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the 2nd Respondent to conduct an enquiry and pass appropriate orders, as per circular of the Inspector General of Registration, Chennai in Circular No.41530/U1/2017 dated 08.11.2017 on the basis of petitioner's representation dated 25.08.2021, within a time frame to be fixed by this Court.

2. The case of the petitioner is that fraudulently the fifth
<https://hcservices.ecourts.gov.in/hcservices/>



respondent has executed a sale deed dated 10.06.2009 in favour of the fourth respondent registered as Document No.752/09. According to the petitioner, he is the absolute owner of the property mentioned in the sale deed and therefore, a fraud has been committed upon him by the respondents 4 and 5.

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3.It is also his contention that he came to know about the execution of the sale deed referred to supra, only now. The petitioner has given a representation on 25.08.2021 to the official respondents calling upon them to conduct an enquiry and pass appropriate orders as per the circular of the Inspector General of Registration, Chennai referred to supra dated 08.11.2017 and cancel the sale deed executed by the fifth respondent in favour of the fourth respondent. Since the representation has not been considered till date, the petitioner has filed this writ petition.

4.No prejudice would be caused to the official respondents, if the representation of the petitioner is considered on merits and in accordance with law, after affording a fair hearing to the petitioner, the respondents 4 and 5 and any other necessary party, whom the second respondent deems fit to enquire.

5.Accordingly, this Court directs the second respondent to consider the petitioner's representation dated 25.08.2021 seeking for conduct of an enquiry to decide on the request for the cancellation of the sale deed dated 10.06.2009 executed by the fifth respondent in favour of the fourth respondent registered as Document No.752/09 and thereafter, pass final orders as per the circular of the Inspector General of Registration, Chennai, in Circular No.41530/U1/2017 dated 08.11.2017, after affording a fair hearing to the petitioner, the respondents 4 and 5 and any other necessary party, whom the second respondent deems fit to enquire, within a period of twelve [12] weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. The Inspector General of Registration,
No.100, Santhom High Road,
Chennai-28.

2. The District Registrar (Administration),
Sivagangai District,
Sivagangai.

3. The Sub Registrar,
Mathagupatti Sub Registrar's Office,
Mathagupatti,
Sivagangai District.

+1 CC to M/s.SPL GP (SR-13003[F] dated 18/03/2022)

order made in

W.P. [MD]No.4616 of 2022

Dated: **16.03.2022**

sb(CO)

TR(28.03.2022) 3P 5C