



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.03.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.4602 of 2022

A/M.Thandayuthapani Thirukoil,
Pudhu Theru, Chathrapatti,
Represented by Trustee Alaguraj,
through his power agent,
R.Gnanaguru

... Petitioner

/Vs./

- 1.The Inspector General of Registration,
No.100, Santhome High Road,
Mandavelipakkam, Annamalaipuram,
Chennai-600 028.
2. The District Registrar,
Office of the District Registrar,
No.58/1, Kacheri Road,
Virudhunagar Town,
Virudhuangar District.
3. The Sub Registrar,
Office of the Sub Registrar,
Keelarajakularaman, Rajapalayam Taluk,
Virudhunagar District.
4. P.Ramasubiramanian

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 2nd respondent herein to consider and pass orders on the representation of the petitioner dated 23.08.2021 as per section 68(2) of the Registration Act within a stipulated period of time to be fixed by this Court.

For Petitioner : Mr.Thirunavukkarasu
For Respondents : Mr.S.Shanmugavel
Additional Government Pleader
for R1 to R3

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the 2nd respondent herein to consider the petitioner's representation requesting the second respondent to conduct enquiry for cancellation of the sale deed dated 13.01.2009 registered as Document No.133/09 in favour of the fourth respondent on the ground



that the said document is a fraudulent document. A representation has been given under Section 68 of the Registration Act, 1908. Since the representation has not been considered till date, the petitioner has filed this writ petition.

2. According to the petitioner, the property involved in the aforementioned sale deed standing in the name of the fourth respondent belongs to the petitioner temple and a suit for declaration was filed by the fourth respondent claiming ownership of the property, but the same was also dismissed for non-prosecution.

3. The petitioner has filed documents along with this writ petition in order to substantiate their claim that the subject property is owned by them. It is for the respondents to consider the same on merits and in accordance with law.

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 fourth respondent as well as any other necessary parties, whom the second respondent deems fit to enquire.

5. Accordingly, this Court directs the second respondent to consider the petitioner's representation dated 23.08.2021 given under Section 68(2) of the Registration Act, 1908, seeking for cancellation of the sale deed dated 13.01.2009 registered as Document No.133/09 and pass final orders, on merits and in accordance with law, after affording a fair hearing to the petitioner, the fourth respondent as well as any other necessary parties, 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 aforesaid direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-III)

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/ /2022

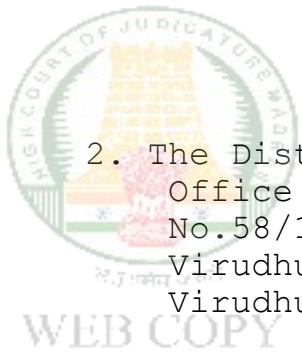
Sub Assistant Registrar (CS)

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To

1. The Inspector General of Registration,
No.100, Santhome High Road,
Mandavelipakkam, Annamalaipuram,
Chennai-600 028.

<https://hcservices.ecourts.gov.in/hcservices/>



2. The District Registrar,
Office of the District Registrar,
No.58/1, Kacheri Road,
Virudhunagar Town,
Virudhunagar District.

3. The Sub Registrar,
Office of the Sub Registrar,
Keelarajakularaman, Rajapalayam Taluk,
Virudhunagar District.

+1 CC to M/s.SPL GP (SR-12728[F] dated 17/03/2022)

+1 CC to M/s.M.THIRUNAVUKKARASU, Advocate (SR-12399[F] dated
16/03/2022)

W.P. [MD]No.4602 of 2022

Dated:

16.03.2022

RK(30/03/2022) 3P 6C