



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.4755 of 2022

Boby P.K.Varghese

... Petitioner

vs.

1.The Inspector General of Registration,
Registration Department, Santhome Road, Chennai.

2.The Deputy Inspector of Registration,
Registration Department, Tenkasi District.

3.The District Registrar,
Registration Department, Tenkasi.

4.The Sub - Registrar,
Surandai, Tenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondent for cancelation of Settlement Deed Document No.3323/2007 before the Sub Registrar Office, Surandai dated 18.12.2007 which is fraudulently created by Vaithiyalingasamy S/o.Samuthirakani alias Seenivasa Nadar in favour of his wife Maragatham and also remove the encumbrance of the same for the land which is situated at Tenkasi District, Veerakeralampudhur Taluk, Kulayaneri Village in Survey No.85/4A and Survey No.85/4B based on the order of W.P.(MD) No.10177 of 2021.

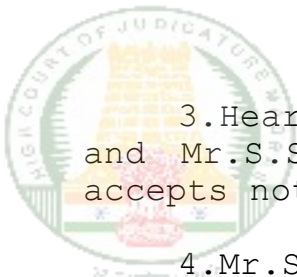
For Petitioner :Mr.K.Kevin Karan

For Respondents :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 respondents to cancel the settlement deed, dated 18.12.2007, registered as Document No.3323/2007 in the office of the Sub Registrar, Surandai on the ground that the said registration is a fraudulent registration, based on the petitioner's representation, dated 06.01.2022 within a time frame to be fixed by this Court.

2.It is the contention of the petitioner that the aforementioned settlement deed has been fraudulently registered by the fourth respondent. The petitioner has also submitted a representation to the respondents seeking for cancellation of the said document. Since the said representation has not been considered till date, he has filed this Writ Petition.



3.Heard Mr.K.Kevin Karan, learned Counsel for the petitioner and Mr.S.Shanmugavel, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

4.Mr.S.Shanmugavel, learned Additional Government Pleader, on instructions, would submit that the petitioner's representation has already been acted upon and proceedings have been initiated with regard to the said representation. He would further submit that the next date of hearing before the third respondent is 31.03.2022.

5.No prejudice will be caused to the respondents, 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 persons, in whose name the settlement deed stand as well as any other necessary party, whom the third respondent deems fit to enquire.

6.Accordingly, this Court directs the third respondent to pass final orders on the petitioner's representation, dated 06.01.2022 seeking to cancel the settlement deed, dated 18.12.2007, registered as Document No.3323/2007 in the office of the Sub Registrar, Surandai, after affording a fair hearing to the petitioner as well as the persons, in whose name the settlement deed stand as well as any other necessary party, whom the third respondent deems fit to enquire, within a period of twelve weeks from the date of receipt of a copy of this order.

7.With the aforesaid directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

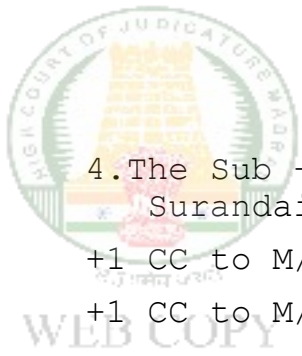
cmr

To

1.The Inspector General of Registration,
Registration Department, Santhome Road, Chennai.

2.The Deputy Inspector of Registration,
Registration Department, Tenkasi District.

3.The District Registrar,
Registration Department, Tenkasi



4.The Sub - Registrar,
Surandai, Tenkasi District.

+1 CC to M/s.K.KEVINKARAN, Advocate (SR-12894[F] dated 18/03/2022)

+1 CC to M/s.SPL GP (SR-13008[F] dated 18/03/2022)

W.P. (MD)No.4755 of 2022

17.03.2022

MGJ(28.03.2022) 3P 7C