



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.4833 of 2022

V.Murugan

... Petitioner

Vs.

1.The Deputy Inspector General of Registration,
Integrated Complex of Registration Department,
Tirunelveli.

2.The District Registrar (Admin),
Office of the District Registrar,
Integrated Complex of Registration Department,
Tirunelveli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the second respondent to consider the petitioner's representation dated 25.02.2022 given to conduct enquiry under Section 68(2) of Tamil Registration Act, 1908.

For Petitioner : Ms.J.Padhmavathi Devi

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 second respondent to consider the petitioner's representation dated 25.02.2022 for conducting enquiry under Section 68(2) of the Tamil Nadu Registration Act, 1908, and seeking for cancellation of sale deed dated 30.11.2021 registered as Document No.8454 of 2021, as according to the petitioner the said sale deed has been fraudulently registered. Admittedly, the said representation has not been considered till date. In such circumstances, the petitioner has filed this writ petition.

2.Heard Ms.J.Padhmaavathi Devi, learned Counsel appearing for the writ petitioner and Mr.S.Shanmugavel, learned Additional Government Pleader appearing for the respondents.

3.Along with the writ petition, the petitioner has filed three representations given by the petitioner. Two representations were given before the registration of the aforementioned sale deed and the last representation dated 25.02.2022 was given after the registration of sale deed. According to the petitioner, even before



the registration of sale deed, the petitioner had given representations requesting the respondents not to register the sale deed but despite those representations the sale deed has been registered. The petitioner has given a representation on 25.02.2022 requesting the respondents to cancel the sale deed dated 30.11.2021 registered as Document No.8454 of 2021, on the ground that the said sale deed has been fraudulently registered. The representation dated 25.02.2022 has been given under Section 68(2) of the Tamil Nadu Registration Act, 1908.

4.No prejudice would 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 person in whose name the sale deed dated 30.11.2021 registered as Document No.8454 of 2021 stands.

5.Accordingly, this Court directs the second respondent to consider the petitioner's representation dated 25.02.2022 given under Section 68(2) of the Tamil Nadu Registration Act, 1908 seeking for cancellation of the sale deed dated 30.11.2021 registered as Document No.8454 of 2021, on the ground that the said sale deed has been fraudulently registered and pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner and the person in whose name the sale deed dated 30.11.2021 stands 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 is disposed of. 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 Deputy Inspector General of Registration,
Integrated Complex of Registration Department,
Tirunelveli.

2.The District Registrar (Admin),
Office of the District Registrar,
Integrated Complex of Registration Department,
Tirunelveli.

+1 CC to M/s.SPL GP (SR-13189[F] dated 21/03/2022)

ORDER MADE IN
W.P. [MD]No.4833 of 2022
18.03.2022

KG(CO)

GC(30.03.2022) 3P 4C