



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.03.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.5601 of 2022

K.Chellaiah

... Petitioner

/Vs./

1. The Inspector General of Registration,
O/o. The Inspector General of Registration,
No.100, Santhome High Road,
Chennai.
2. The District Registrar (Registration),
O/o. The District Registrar,
Ramanathapuram.
3. The Sub Registrar,
O/o. The Sub Registrar,
Kamudhi,
Ramanathapuram District.

4. V.Rajendran

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondent No.2 to complete the enquiry on the basis of the proceedings of the 3rd Respondent dated 13.10.2021 in Na.Ka.No.247/2021 and consequently direct the Respondent No.2 to cancel the Forged Sale Deed in Document No.749 of 2021 dated 24.06.2021 on the file of the Respondent No.3 registered in favour of the 4th Respondent by considering the Petitioner's representation dated 30.12.2021 within the time stipulated the Court.

For Petitioner

: Mr.T.Thirumurugan

For R1 to R3

: Mr.S.Shanmugavel

Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the second respondent to complete the enquiry and pass final orders, on the basis of the proceedings of the 3rd Respondent dated 13.10.2021 in Na.Ka.No.247/2021 and consequently direct the second respondent to cancel the Sale Deed in Document No.749 of 2021 dated 24.06.2021 on the file of the third respondent registered in favour of the 4th Respondent, by considering the petitioner's representation dated 30.12.2021, within a time frame



to be fixed by this Court.

2. According to the petitioner, the document No.749 of 2021 dated 24.06.2021 on the file of the third respondent registered in favour of the fourth respondent is a forged sale deed and has been fraudulently registered. The petitioner has given a representation on 30.12.2021 requesting for cancellation of the sale deed. According to him, the third respondent has already passed the proceedings on 13.10.2021 declaring the said sale deed as a fraudulent sale deed. Since no final orders have been passed till date, the petitioner has filed this writ petition.

3. Heard Mr.T.Thirumurugan, learned Counsel for the writ petitioner and Mr.S.Shanmugavel, learned Additional Government Pleader, who accepts notice on behalf of the respondents 1 to 3.

4. No prejudice would be caused to the official respondents, if the representation of the petitioner and the petitioner's statement that the third respondent has already declared that the document No.749 of 2021 dated 24.06.2021 as a forged sale deed, by his proceedings dated 13.10.2021 are 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 party, whom the official respondents deem fit to enquire.

5. For the foregoing reasons, this Court directs the second respondent to consider the representation of the petitioner dated 30.12.2021 requesting for cancellation of the sale deed in Document No.749 of 2021 dated 24.06.2021, based on the proceedings of the 3rd Respondent dated 13.10.2021 in Na.Ka.No.247/2021 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 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 (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



1. The Inspector General of Registration,
O/o. The Inspector General of Registration,
No.100, Santhome High Road,
Chennai.

2. The District Registrar (Registration)
O/o. The District Registrar,
Ramanathapuram.

3. The Sub Registrar,
O/o. The Sub Registrar,
Kamuthi,
Ramanathapuram District.

+1 CC to M/s.T.THIRUMURUGAN, Advocate (SR-15532[F] dated
31/03/2022)

+1 CC to M/s.SPL GP (SR-15695[F] dated 31/03/2022)

order made in
W.P. [MD]No.5601 of 2022

Dated:
30.03.2022

SG(CO)
PA(06.04.2022) 3P 6C