



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.7114 of 2022

Dr.A.Alagesan

... Petitioner

Vs.

1.The Inspector General of Registration,
No.100, Santhome High Road,
R.A.Puram,
Chennai - 600 028.

2.The District Registrar (Admin),
District Registrar Office,
Dindigul.

3.The Sub Registrar,
Vadamadurai Sub Registrar Office,
Vadamadurai,
Dindigul District.

4.The Sub Registrar,
Sub Registrar Office,
Ponnamaravathi,
Pudukottai District.

5.K.Haribaskar

6.K.Raja Mohammed

7.R.Suresh

8.I.Ibrahim

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to conduct the enquiry on the basis of the petitioner's representation dated 25.02.2022 and pass appropriate order and consequently incorporate the encumbrance in petitioner's property within the time stipulated by this Court.

For Petitioner

: Mr.R.Venkatesan

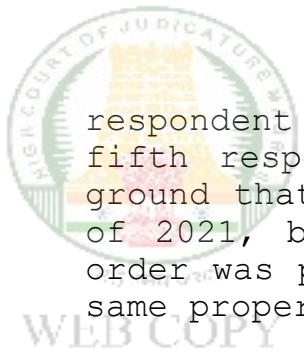
For Respondents 1 to 4

: 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 conduct enquiry based on the petitioner's representation dated 25.02.2022, requesting the second



respondent to cancel the sale deed dated 31.12.2021 executed by the fifth respondent in favour of sixth to eighth respondents on the ground that in the civil suit filed by the petitioner in O.S.No.130 of 2021, before the District Munsif Court, Thirumayam, *status quo* order was passed in his favour on 25.10.2021 in respect of the very same property.

2. Admittedly, the aforementioned representation has not been considered till date. According to the petitioner, the sale deed referred to supra presently standing in the name of the sixth to eighth respondents is a fraudulent document and it has to be cancelled.

3. Heard Mr.R.Venkatesan, learned Counsel appearing for the writ petitioner and Mr.S.Shanmugavel, learned Additional Government Pleader who accepts notice on behalf of the respondents 1 to 4.

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 and the respondents 5 to 8 and any other necessary party whom the second respondent deems fit to enquire.

5. For the foregoing reasons, this Court directs the second respondent to consider the petitioner's representation dated 25.02.2022 seeking for cancellation of the sale deed dated 31.12.2021 standing in the name of the sixth to eighth respondents in respect of the property comprised in U.D.R. Survey No.791-3A7, measuring an extent of 0.82.00 ares situated at Thotiyampatti Village, Ponnamaravathi West, Ponnamaravathi Taluk, Pudukottai District and pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner and the respondents 5 to 8 including granting them the right of personal hearing 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/-

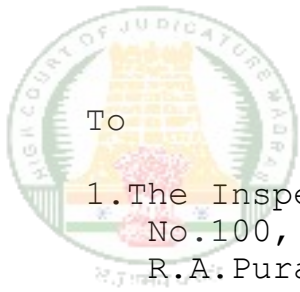
Assistant Registrar (CS-III)

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04/05/2022

Sub Assistant Registrar(CS)

MR



To

1.The Inspector General of Registration,
No.100, Santhome High Road,
R.A.Puram, Chennai - 600 028.

2.The District Registrar (Admin),
District Registrar Office,
Dindigul.

3.The Sub Registrar,
Vadamadurai Sub Registrar Office,
Vadamadurai,
Dindigul District.

4.The Sub Registrar,
Sub Registrar Office,
Ponnamaravathi,
Pudukottai District.

+1 CC to M/s.SPL.GP (SR-19333[F] dated 19/04/2022)

+1 CC to M/s.R. VENKATESAN, Advocate (SR-19419[F] dated
19/04/2022)

W.P.[MD]No.7114 of 2022
18.04.2022

SG(CO)
KB(05.05.2022) 3P 7C