



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.8147 of 2022

P.Nagaraja

... Petitioner

vs.

1.The District Registrar,
Registration Department, Sivagangai District.

2.The Sub Registrar,
Manamadurai Sub Registrar Office,
Sivagangai District.

3.T.Sudhakar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondent to dispose of the petitioner's representation, dated 15.03.2022 by conducting the relevant inquiry and taking the appropriate action in cancellation and revocation of the registration of the settlement deed, vide Doc.No.2396/2021, dated 16.08.2021.

For Petitioner :Mr.D.Selvanayagam

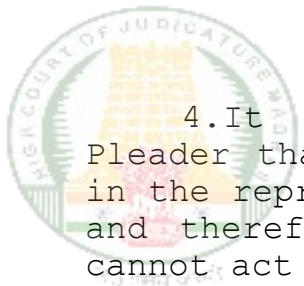
For R1 and R2 :Mr.S.Shanmugavel
Additional Government Pleader

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the first respondent to dispose of the petitioner's representation, dated 15.03.2022 within a time frame to be fixed by this Court.

2.The petitioner seeks for cancellation of the release deed registered as Doc.No.2396/2021, dated 16.08.2021. According to the petitioner, the said document has been fraudulently executed on the ground that excess lands have been mentioned in the said document. The petitioner has given a representation on 15.03.2022 to the first respondent seeking for cancellation of the release deed. Since the said representation has not been considered till, he has filed this Writ Petition.

3.Heard Mr.D.Selvanayagam, learned Counsel for the petitioner and Mr.S.Shanmugavel, learned Additional Government Pleader, who accepts notice on behalf of the respondents 1 and 2.



4.It is represented by the learned Additional Government Pleader that Section 77(a) of Registration Act, which is reflected in the representation sent by the petitioner has not come into force and therefore, in accordance with same, the official respondents cannot act upon. The said statement is recorded.

5.No prejudice will be caused to the respondents, if the petitioner's representation dated 15.03.2022 is considered on merits and in accordance with law after affording a fair hearing to the petitioner and the third respondent and any other necessary party whom the first respondent deems fit to enquire.

6.For the foregoing reasons, this Court directs the first respondent to pass final orders on the petitioner's representation, dated 15.03.2022 seeking for cancellation of the release deed, dated 16.08.2021 registered as Doc.No.2396/2021 on merits and in accordance with law after affording a fair hearing to the petitioner and the third respondent and any other necessary party whom the first respondent deems fit to enquire, within a period of four 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 (RTI)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

cmr

To

1.The District Registrar,
Registration Department, Sivagangai District.

2.The Sub Registrar,
Manamadurai Sub Registrar Office,
Sivagangai District.

+1 CC to M/s.SPL.GP. (SR-21870[F] dated 27/04/2022)

W.P. (MD)No.8147 of 2022

26.04.2022

RD(25.05.2022) 2P 4C