



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.8193 of 2022

M.Nainar

.. Petitioner

Vs.

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

2.The District Registrar,
Registration Department,
Palayamkottai, Tirunelveli.

3.The Sub-Registrar,
Valliyur Sub-Registrar Office,
Tirunelveli District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents particularly the 2nd respondent to conduct an enquiry and cancel the registered document No. 356/2016, by considering the petitioners representation, dated 18.03.2022.

For Petitioner	: Mr.S.Sivakumar
For Respondents	: Mr.J.John Rajadurai Government Advocate

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the second respondent to pass final orders on the petitioner's representation, dated 18.03.2022, seeking for cancellation of registered document No.356/2016, on the ground that the said document is a fraudulent document.

2.The case of the petitioner is that he is the absolute owner of the aforementioned property, having purchased the same in the year 1979. According to him, all of a sudden it came to his knowledge that the document has been fraudulently registered on 11.02.2016, registered as document No.356/2016, based on fraudulent revenue records. In such circumstances, he has given the aforementioned representation, calling for cancellation of the said document. Admittedly, the representation has not been considered till date.

3.Heard Mr.S.Sivakumar, learned counsel appearing for the petitioner and Mr.J.John Rajadurai, learned Government Advocate, who

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accepts notice on behalf of the respondents.

4.No prejudice will be caused to the respondents, if the petitioner's representation, dated 18.03.2022, is considered on merits and in accordance with law, after affording a fair hearing to the petitioner as well as the parties to the document registered as document No.356/2016 and any other necessary parties, 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 18.03.2022, seeking for cancellation of the registered document namely document No.356/2016 and pass final orders, within a period of three months from the date of receipt of a copy of this order, after affording a fair hearing to the petitioner as well as the parties to the document No.356/2016 and any other necessary parties, whom the second respondent deems fit to enquire, including granting them the right of personal hearing.

6.With the aforesaid directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TM

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 Inspector General of Registration,
Registration Department,
Santhome Salai,
Chennai.

2.The District Registrar,
Registration Department,
Palayamkottai, Tirunelveli.



3.The Sub-Registrar,
Valliyur Sub-Registrar Office,
Tirunelveli District.

+1 CC to M/s.S.SIVA KUMAR, Advocate (SR-22246[F] dated 28/04/2022)

WEB COPY
+1 CC to M/s.SPL. GP (SR-23029[F] dated 29/04/2022)

W.P. (MD)No.8193 of 2022
27.04.2022

TP (CO)
KB (13.05.2022) 3P 6C