



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD)No.8662 of 2022

P.Subramani

... Petitioner

Vs.

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

2.The District Registrar,
District Registrar Office,
Karur.

3.The Sub Registrar,
Joint II Sub-Registrar Office,
Karur.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to conduct enquiry and to take action on registered document Nos.3128 of 2020, 3129 of 2020, 684 of 2021, 384 of 2021 and 1610 of 2021, in respect of Survey No.207/11 to an extent of 72 cents situated at Kathapparai Village, Karur Taluk and District, as fraudulent registration, based on the petitioner's representation dated 23.03.2022.

For Petitioner

: Ms.M.Maria Vinola

For Respondents

: Mr.J.John Rajadurai

Government Advocate

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to pass orders on the petitioner's representation, dated 23.03.2022, seeking for cancellation of the document Nos.3128 of 2020, 3129 of 2020, 684 of 2021, 384 of 2021 and 1610 of 2021, in respect of Survey No.207/11 to an extent of 72 cents situated at Kathapparai Village, Karur Taluk and District as according to the petitioner, it is a fraudulent registration, within a time frame to be fixed by this Court.

2.Heard Ms.M.Maria Vinola, learned counsel appearing for the petitioner and Mr.J.John Rajadurai, learned Government Advocate, who accepts notice on behalf of the respondents.

3.On instructions, the learned Government Advocate, appearing for the respondents would submit that a civil suit has been filed by the petitioner, seeking for the very same relief as sought for in the petitioner's representation, dated 23.03.2022, referred to supra. The said statement is recorded.



4.No prejudice will be caused to the respondents, if the petitioner's representation stated supra is considered on merits and in accordance with law, after affording a fair hearing to the petitioner and the persons in whose name the aforementioned registered documents stand and any other necessary party, whom the second respondent deems fit to enquire.

5.The petitioner claims that the aforementioned documents are fraudulent documents. According to the petitioner, he had executed a power of attorney only for a limited time period. But the registered documents have been executed beyond the said time period. Therefore, the aforementioned registered documents are fraudulent documents. The contention of the petitioner has to be considered by the respondents on merits and in accordance with law, after affording a fair hearing to the petitioner and any other necessary party, whom the second respondent deems fit to enquire, within a time frame to be fixed by this Court.

6.For the foregoing reasons, this Court directs the second respondent to pass final orders on the petitioner's representation, dated 23.03.2022, seeking for cancellation of document Nos.3128 of 2020, 3129 of 2020, 684 of 2021, 384 of 2021 and 1610 of 2021, in respect of Survey No.207/11 to an extent of 72 cents situated at Kathapparai Village, Karur Taluk and District, within a period of three months, after affording a fair hearing to the petitioner and the parties in whose names the aforementioned documents stand and any other necessary party, whom the second respondent deems fit to enquire, including granting them the right of personal hearing.

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

Sd/-

Assistant Registrar (Admin I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TM

To

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

<https://hcservices.ecourts.gov.in/hcservices/>



2.The District Registrar,
District Registrar Office,
Karur.

3.The Sub Registrar,
Joint II Sub-Registrar Office,
Karur.

+1 CC to M/s.M. MARIA VINOLA, Advocate (SR-22514[F] dated
29/04/2022)

+1 CC to M/s.SPL.GP (SR-23306[F] dated 04/05/2022)

W.P. (MD) No.8662 of 2022
29.04.2022

MGJ(19.05.2022) 3P 6C