



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.8671 of 2022

S.P.R.Rajmohan

... Petitioner

Vs.

- 1.The Inspector General of Registration,
No.100, Santhome High Road,
Raja Annamalaipuram, Chennai.
- 2.The District Registrar,
Ramanathapuram District.
- 3.The Sub Registrar,
O/o. Sub Registrar Office,
Sayalkudi, Ramanathapuram District.
- 4.D.Thangaraj Pandian
- 5.T.Savithri
- 6.T.Balakrishnan
- 7.Sri Ram Transport Finance Company Limited,
Through its Manager,
Ramanathapuram District.

... 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 an enquiry and pass an order relating to the fraudulent sale deed dated 29.06.2018, registered as Document No.860/2018 on the file of the third respondent, in the name of the sixth respondent, relating with the petitioner's land and building, admeasuring 20125 square feet out of 44036 square feet i.e., 1 Acre Cents in S.Nos.198/10A, 198/1B1, 198/3A, 198/4B1, 198/4B2, 198/5A, 198/7B1A and 198/8B and admeasuring 86 cents in Sayalkudi Village, in Kadaladi Taluk, Ramanathapuram District, by disposing the petitioner's representation dated 04.04.2002, in the light of the Circular in Letter No.20217/U1/2021, dated 09.07.2021, issued by the first respondent.



For Petitioner
For R-1 to R-3
For R-6

: Mr.R.Suriya Narayanan
: Mr.S.Shanmugavel
Additional Government Pleader
: Mr.Raja.Karthikeyan

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O R D E R

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 04.04.2022 seeking for cancellation of the alleged fraudulent sale deed dated 29.06.2018 registered as Document No.860/2018, standing in the name of the sixth respondent and pass final orders, within a time frame to be fixed by this Court.

2.Heard Mr.R.Suriya Narayanan, learned Counsel appearing for the writ petitioner, Mr.S.Shanmugavel, learned Additional Government Pleader who accepts notice on behalf of the respondents 1 to 3 and Mr.Raja.Karthikeyan, learned Counsel undertakes to file vakalat on behalf of the sixth respondent.

3.Learned Counsel appearing for the sixth respondent vehemently opposed for an order to be passed in favour of the writ petitioner in this writ petition. According to the sixth respondent, the second respondent does not have the jurisdiction to cancel any document.

4.The petitioner has filed documents along with this writ petition including sale deeds and other documents. The petitioner seeks for cancellation of the sale deed standing in the name of the sixth respondent dated 29.06.2018. According to him, the said sale deed is a fraudulent sale deed. However, the same is vehemently disputed by the learned Counsel for the sixth respondent.

5.No prejudice would be caused to the official 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 sixth respondent including granting them the right of personal hearing by the official respondents.

6.For the foregoing reasons, this Court directs the second respondent to pass final orders on the petitioner's representation dated 04.04.2022, seeking for cancellation of the alleged fraudulent sale deed dated 29.06.2018 registered as Document No.860/2018, on merits and in accordance with law after affording a fair hearing to the petitioner and the sixth respondent, 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.



7. With the aforesaid direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar

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// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

To

1. The Inspector General of Registration,
No.100, Santhome High Road,
Raja Annamalaipuram, Chennai.

2. The District Registrar,
Ramanathapuram District.

3. The Sub Registrar,
O/o. Sub Registrar Office,
Sayalkudi, Ramanathapuram District.

+1 CC to M/s. RAJA. KARTHIKEYAN, Advocate (SR-22518[F] dated
29/04/2022)

+1 CC to M/s. SPL.GP (SR-23355[F] dated 04/05/2022)

ORDER MADE IN
W.P. [MD]No.8671 of 2022
29.04.2022

MK/19.05.2022/3P/6C