



Cont.P.(MD)No.1126 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.11.2022

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

Contempt Petition(MD)No.1126 of 2021

in

W.P.(MD)No.14004 of 2020

M.R.Rajasekaran

... Petitioner

Vs.

1.Mr.K.Baskaran

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

2.Mrs. Vasuki,

The Deputy Inspector General of Registration,
Integrated Complex, Rajakambiram,
Y.Othakkadai,
Madurai.

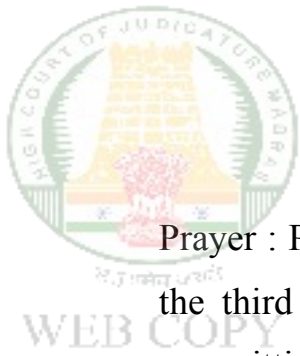
3.Mr.Gunasekaran,

The District Registrar,
Virudhunagar Registration District,
Virudhunagar District.

4.Mr.Sivaramaiah,

The Sub-Registrar,
Pandalkudi Sub-Registrar Office,
Pandalkudi,
Arupukkottai Taluk,
Virudhunagar District.

... Contemnors



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Prayer : Petitions filed under Section 11 of the Contempt of Courts Act, to haul the third respondent for contempt committed by him and to punish him for committing contumacious conduct of his willful, defiant, disobedience and scant respect to the order of this Court in W.P(MD)No.14004 of 2020, dated 08.10.2020 in accordance with law.

For Petitioner : Mr.A.Mohan

For Respondents : Mr.S.R.A.Ramachandran
Additional Government Pleader

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ORDER

When the matter was taken up for hearing on 08.10.2020, this Court passed the following order:-

“7. This Court is of the considered view that since serious allegations are made against the authorities concerned, an enquiry shall be conducted, appropriate action to be taken, and in the enquiry, the persons, who are going to be affected shall also be heard. If there is any error, it is open to the authorities to rectify it in terms of Section 68(2) of the Act. But, if there is any willful act, certainly, appropriate action, including criminal action will have to be taken against the Sub-Registrar in terms of section 83 of the Act. No third party right shall be created in respect of S.No. 65/4, till the issue is decided.”



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2. The learned counsel appearing for the petitioner would submit that instead of Survey No.65/3, the property of the petitioner in Survey No.65/4 has been registered. Based on which, a third party is demanding right over the property.

3. The learned Additional Government Pleader appearing for the respondents would submit that as per the order of this Court, dated 08.10.2020, enquiry has been conducted against the erring official and the examination of witnesses have been completed and final order yet to be passed and would pass within a period of four weeks. He would further submit that regarding the rectification of the said document instead of Survey No.65/3, the survey No. 65/4, the Inspector General of Registration is the competent authority.

4. It there is any wilful malafide intention or any collusion with the third party by the Sub-Registrar, the authorities shall proceed against the said person in the manner known to law. Whether there is any deliberate disobedience or there is any wilful default, the same can be considered only by way of enquiry.



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5. In view of the fact that already the petitioner's application was considered and enquiry has been completed against the erring officials therefore, the second respondent is directed to pass appropriate orders against the said official on or before 02.12.2022 and the first respondent is directed to take up the matter suo motu and rectify the mistake in the petitioner's document, if any committed. Till such time, the third party interest will not be created.

6. Recording the above said submission, this Contempt Petition stands closed.

Index :Yes/No
Internet :Yes/No
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03.11.2022



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V.BHAVANI SUBBAROYAN, J.

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