



W.P(MD)No.6840 of 2014

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.11.2022

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.6840 of 2014

and

M.P(MD)No.1 of 2014

K.Ravi

... Petitioner

Vs.

1.The Deputy Inspector General of Registration,
Othakadai, Madurai.

2.The District Registrar,
Periyakulam, Theni.

3.The Sub Registrar,
Office of Sub-Registrar-II,
Periyakulam, Theni.

4.P.Manohar P.Bajaj

5.A.Udhayakumar

6.Palanisamy Sundaram

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondents 1 to 3 herein to conduct enquiry under the Registration Act,



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initiate criminal prosecution under Secs.81, 82 & 83 of the Registration Act and Scheduled Caste / Scheduled Tribes (Prevention of Atrocities) Act 1989 and consequently direct the respondents 1 to 3 herein to cancel the fake and fraudulent sale deed Doc. No. 67/1998 dated 19.01.1998 in respect of petitioner's property measuring 2.14 acres comprised in S. No. 338/3 situated T. Vadipatti, Periyakulam Taluk, Theni District under the category "Panjamar Jari" covered by T.K.T.No.124/78 as per the representation of the petitioner dated 11.03.2014, within a reasonable time.

For Petitioner : Mr.K.Appadurai

For R1 - R3 : Mr.S.R.A.Ramachandran
Additional Government Pleader

For R4 - R6 : No Appearance

ORDER

The present writ petition has been filed seeking a writ of mandamus, directing the 2nd respondent herein to conduct an enquiry with regard to the alleged fake sale deed said to have been executed by the 4th respondent herein through his power agent 5th respondent in favour of the 6th respondent by way of a sale deed, dated 19.01.1998.



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2. According to the petitioner, his father Kathiri was granted an order of assignment of Panjami land in Survey No.338/3 for an extent of 2.14 acres under T.K.T.No.124/78. Neither his father nor himself has alienated or entered into any transaction with the 4th respondent. However, the 4th respondent company has chosen to alienate the same in favour of the 6th respondent on the basis of some fake documents. Hence, the petitioner has sought for an enquiry to be conducted by the 2nd respondent and for cancellation of the said sale deed, 19.01.1998.

3. Though the 4th respondent has been served, there is no representation.

4. The 5th respondent is the power agent of the 4th respondent. In view of the above said facts, the 2nd respondent is directed to consider the representation of the petitioner, dated 11.03.2014 in the light of Section 77-A of the Registration Act, after giving due opportunity to the writ petitioner and the respondents 4 to 6 herein. The said exercise shall be completed within a period of four (4) months from the date of receipt of a copy of this order.



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5. With the above said observations, this Writ Petition stands allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

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Index : Yes / No
Internet : Yes / No

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To

- 1.The Deputy Inspector General of Registration,
Othakadai, Madurai.
- 2.The District Registrar,
Periyakulam, Theni.
- 3.The Sub Registrar,
Office of Sub-Registrar-II,
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R.VIJAYAKUMAR ,J.

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Order made in
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