



*W.P(MD)No.20557 of 2015*

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.11.2022**

CORAM

**THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P(MD)No.20557 of 2015**

L.Muthu

... Petitioner

Vs.

1.The District Registrar (Administration),  
Sivagangai District,  
Sivagangai.

2.The Joint Sub-Registrar No.2,  
Sivagangai,  
Sivagangai District.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to remove the entries of fraudulent Document Numbers 7129/2010, 373/2011 and 2283/2011 from encumbrance certificate available with the 2<sup>nd</sup> respondent office by considering the representation given by the petitioner dated 28.09.2015 within a period stipulated by this Court.

For Petitioner : Mr.N.Sathish Babu



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For Respondents : Mr.K.S.Selva Ganesan  
Additional Government Pleader

### **ORDER**

The present writ petition has been filed seeking a writ of Mandamus, directing the respondents to remove the entries of fraudulent documents from the encumbrance certificate available with the second respondent office.

2. According to the petitioner, three fraudulent documents have been registered before the second respondent herein in Document Nos. 7129/2010, 373/2011 and 2283/2011. The petitioner has also given a representation on 28.09.2015 to the first respondent herein for initiating action for cancellation of the above said documents.

3. According to the learned counsel for the petitioner, the said application is still pending and it has not been disposed of.

4. Without expressing any opinion on the merits of the issue, this Court directs the first respondent to consider the said representation and



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pass orders in accordance with law in the light of Section 77-A of the Registration Act, after giving due opportunity to the writ petitioner and the persons, who are connected with the above said documents. The said exercise shall be completed within a period of four (4) months from the date of receipt of a copy of this order.

5. With the above said observations, this Writ Petition stands disposed of. No costs.

**03.11.2022**

Index : Yes / No  
Internet : Yes / No

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To

1.The District Registrar (Administration),  
Sivagangai District,  
Sivagangai.

2.The Joint Sub-Registrar No.2,  
Sivagangai,  
Sivagangai District.

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**R.VIJAYAKUMAR ,J.**

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Order made in  
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Dated:  
03.11.2022