WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.976 of 2017
and
W.M.P.(MD)No.826 of 2017

S.P.Murthy ... Petitioner

Vs.

1.The District Collector,
Tiruchirappalli District.

2.The Revenue Divisional Officer,
Lalgudi Post,
Trichy District.

3.The Thasildar,
Manachanallur Post,
Trichy District – 621 005.

4.The Deputy Thasildar,
Manachanallur Post,
Trichy District – 621 005.

5.The District Registrar,
Cantonment,
Tiruchirapalli District – 620 001.

6.The Joint Sub Registrar No.1,
Cantonment,
Tiruchirapalli District – 620 001.

7.Dilshad

https://www.mhc.tn.gov.in/judis

WEB COPY

8.Nishad Ahamed

9.Humera

10.Roshnara

11.Salim

12.K.Ramachandran ... 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 5th respondent to take immediate action and conduct enquiry on the petitioner's representation dated 13.05.2015 preferred under section 82 of The Registration Act, 1908 and consequently direct the 5th respondent to cancel the registration of sale deed dated 28.06.2007 in Document No.3512/2007 on the file of the 5th respondent and in the interregnum pending enquiry under section 82 direct the 5th respondent not to permit any further encumbrances in respect of the landed property situated at old Survey no.148 ie., in respect of now new survey No.372/2A admeasuring an extent of 2.61.0 Hectares at Madakudi Village, Lalgudi Taluk, Trichy District by the 12th respondent or any other person purporting to act under him.

For Petitioner : Mrs.J.Maria Roseline

For Respondents : Mr.R.Namesh Arumugam,
Govt. Advocate for R1 to R4.
Mr.J.K.Jayaselan,
Government Advocate for R5 & R6.
No appearance for R12.

https://www.mhc.tn.gov.in/judis

WEB COPY

ORDER

Heard the learned counsel for the writ petitioner and the learned Government Advocate for the respondents 1 to 6. Service was attempted to be effected on the private respondents. Paper publication was taken out in respect of 12th respondent also.

2.In this case we are concerned with the validity of registration of the petition mentioned document No.3512 of 2007 alone. It was registered on the file of the sixth respondent. It was executed by the 11th respondent claiming to be the power agent of one Shajahan in favour of the 12th respondent/K.Ramachandran. The specific case of the writ petitioner is that the property in question belongs to him and that by forging records, the 11th respondent had executed the petition mentioned sale deed in favour of the 12th respondent.

3.The petitioner had given a complaint as early as on 13.05.2015 under Section 82 of the Registration Act, 1908. The primary request made in the writ petition is that the fifth respondent should dispose of the same. On the fifth respondent finding merit in the petitioner's allegation, he has to make an

https://www.mhc.tn.gov.in/judis

WEB COPY

endorsement regarding the fraudulent character of the sale deed. The fifth respondent is directed to conclude the enquiry and pass final order within a period of eight weeks from the date of receipt of a copy of this order.

4.The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

16.08.2022

Index : Yes / No
Internet : Yes/ No
ias

To:-

1.The District Collector,
Tiruchirappalli District.

2.The Revenue Divisional Officer,
Lalgudi Post,
Trichy District.

3.The Thasildar,
Manachanallur Post,
Trichy District – 621 005.

4.The Deputy Thasildar,
Manachanallur Post,
Trichy District – 621 005.

5.The District Registrar,
Cantonment,
Tiruchirapalli District – 620 001.

https://www.mhc.tn.gov.in/judis

WEB COPY

6.The Joint Sub Registrar No.1,
Cantonment,
Tiruchirapalli District – 620 001.

WEB COPY

G.R.SWAMINATHAN, J.

ias

W.P(MD)No.976 of 2017

16.08.2022