



W.P.(MD).No.25297 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.25297 of 2022

M.Poovalingam

... Petitioner

VS.

1.The District Registrar,
Office of the District Registrar,
Sivagangai,Sivagangai District.

2.The Sub Registrar,
Office of the Sub-Registrar,
Sivagangai District.

3.Kalavathi

4.Parthiban

5.Rajkumar

6.Uma Maheswari

7.Sasivarnam

8.Chinnasamy

9.Shanthi

1/6



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10.Manoharan

... Respondents

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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to conduct an enquiry and cancel the fraudulent sale deeds bearing Doc.No.236 of 2022, dated 3.3.2022, bearing Doc.No.1373/2022, dated 22.09.2022 and bearing Doc.No.1463/2022, dated 19.10.2022 relating to Survey No.280/2B of Vallam Village, Paramakudi Taluk, Ramanathapuram District by considering the Petitioner's representation, dated 11.10.2022.

For Petitioner : Mr.K.Baalasundharam

For Respondents : Mr.K.S.Selvaganesan
1 and 2 Addl.Govt.Pleader

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, directing the first respondent to conduct an enquiry and cancel the fraudulent sale deeds bearing Doc.No.236 of 2022, dated 3.3.2022, bearing Doc.No.1373/2022, dated 22.09.2022 and bearing Doc.No.1463/2022, dated 19.10.2022 relating to Survey No.280/2B of Vallam Village, Paramakudi Taluk, Ramanathapuram District by considering the Petitioner's representation, dated 11.10.2022.



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2. Mr.K.S.Selvaganesan, learned Additional Government Pleader takes notice for the respondents 1 and 2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.The case of the petitioner is that the Petitioner is a cultivating tenant in respect of a portion of land in S.No.280/2B of the above said land with one Nagasamy Chettiarand and thereafter, the Petitioner purchased the entire extent of land in the above said survey number, from the legal heirs of Nagasamy Chettiar for a sale consideration of Rs. 30,000/-.Suppressing the same, the respondents 3 to 6 on the basis of forged legal heirship certificate has created a sale deed in favour of seventh respondent, who in-turn had created a forged sale deed in favour of respondents 8 and 9, who in-turn had created a forged sale deed in favour of the 10th respondent, with an intention to grab the land from the Petitioner's possession. Hence the Petitioner has submitted a representation, dated 11.10.2022 to the first respondent with relevant documents for the above said relief as sought for in the Writ Petition. Since the same was not considered by the official respondents, the



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Petitioner has filed this Writ Petition for the relief stated supra.

4. The learned counsel appearing for the petitioner would submit that it would suffice if a direction is issued to the second respondent to consider the representation of the petitioner, dated 11.10.2022.

5. In the light of the submission made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the second respondent to consider the representation of the petitioner, dated 11.10.2022 and pass appropriate orders, based on the Circular issued by the first respondent, dated 31.07.2018, as well as the amendments in Section 77(A) of the Registration Act, after affording an opportunity of hearing to all the parties concerned/ respondents 3 to 10 and others, if any, within a period of sixteen weeks from the date of receipt of a copy of this order.



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6. With the above direction, this Writ Petition is disposed of. No costs.

08.11.2022

Index: Yes/No
Internet: Yes/No
vsn

To

1. The District Registrar,
Office of the District Registrar,
Sivagangai, Sivagangai District.

2. The Sub Registrar,
Office of the Sub-Registrar,
Sivagangai District.



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V.BHAVANI SUBBAROYAN,J.

vsn

ORDER MADE IN
W.P(MD)No.25297 of 2022

08.11.2022