



W.P.(MD)No.25190 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.11.2022

CORAM

THE HONOURABLE Mrs. JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition (MD) No.25190 of 2022
and
W.M.P.(MD)No.19289 of 2022

A.Tamilselvan

.. Petitioner

Versus

1.The District Registrar,
Department of District Registrar Office,
Tenkasi,
Tenkasi District.

2.The Sub-Registrar,
Department of Registration,
Uthumalai,
Tenkasi District.

3.Beeroli, S/o.Allapitchai

4.Parakka Nisha, W/o.Beer Mohammed

5.Sahul Hameed, S/o.Beer Mohammed

6.Palkeesh, W/o.Mohammed Ismayil

7.Mydeen Bathu, W/o.Sulaiman

8.Arakkasai, W/o.Abdul Raasak

9.Sheik Mohammed, S/o.Sahul Hameed

.. Respondents



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Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the first respondent to cancel all the fake, fabricated and false documents, bearing Document Nos.2352 of 2007, 1345 of 2008, 817 of 2018, 3176 of 2020, 1027 of 2021 and 2082 of 2022, on the file of the Sub-Registrar, Uthumalai Registration Office, Tenkasi District, in respect of the petitioner's ancestral property bearing Survey No. 169/7D1, measuring to an extent of 0.16.00 Hectares, Survey No.169/7D2A, measuring to an extent of 0.16.38 Hectares, Survey No.169/7D2B measuring to an extent of 0.01.62 Hectares, measuring a total extent of 84 Cents, situated at Keelaveranam Village, V.K.Pudur Taluk, Tenkasi District, in pursuance of the petitioner's representation to the first respondent dated 27.09.2022 and the subsequent reminder to the respondents 1 and 2, dated 21.10.2022.

For Petitioner : Mr.S.Palani Velayutham

For Respondents 1 and 2: Mr.K.S.Selvaganesan
Additional Government Pleader

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing the first respondent to cancel all the fake, fabricated and false documents, bearing Document Nos.2352 of 2007, 1345 of 2008, 817 of 2018, 3176 of 2020, 1027 of 2021 and 2082 of 2022, on the file of the Sub-Registrar, Uthumalai Registration Office, Tenkasi District, in respect of the petitioner's ancestral property, bearing Survey No.169/7D1, measuring to an extent of 0.16.00 Hectares, Survey No.169/7D2A, measuring to an extent of 0.16.38 Hectares, Survey No.169/7D2B, measuring to an extent of 0.01.62 Hectares, measuring a total extent of 84 Cents, situated at Keelaveranam Village,



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V.K.Pudur Taluk, Tenkasi District, in pursuance of the petitioner's representation to the first respondent dated 27.09.2022 and the subsequent reminder to the respondents 1 and 2, dated 21.10.2022.

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

3. Having regard to the nature of the order proposed to be passed in this Writ Petition, notice to the respondents 3 to 9 is dispensed with.

4. According to the petitioner, the punja lands in S.No.169/7D1, measuring an extent of 0.16.00 Hectares; in S.No.169/7D2A, measuring an extent of 0.16.38 Hectares; and in S.No.169/7D2B, measuring an extent of 0.01.62 Hectares, totally measuring about 84 cents, situated at Keelaveranam Village, V.K.Pudur Taluk, Tenkasi District, belong to his father Arumugapandian. While so, the third respondent's father intentionally created a fraudulent sale deed in favour of the third respondent in respect of the ancestral property of the petitioner. They had no right over the said property and they are only miscreants to the same. Thereafter, the sixth respondent,



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who is hand in glove with the fifth respondent, created a false and fabricated document in his favour, as if he had possessed valid title over the said property and several false and fabricated documents were made on the petitioner's ancestral property by the respondents 3 to 9. Hence, the petitioner has sent a representation dated 27.09.2022, to the first respondent. However, no action was taken. Hence, the petitioner sent another representation to the respondents 1 and 2, dated 21.10.2022. Since the same has not been considered so far, the petitioner has approached this Court by way of filing the present Writ Petition.

5. The learned Additional Government Pleader appearing for the respondents 1 and 2 submitted that the petitioner's representation, dated 21.10.2022, would be considered and appropriate orders would be passed on merits and in accordance with law, within a time frame.

6. Recording the aforesaid submission made by the learned Additional Government Pleader appearing for the respondents 1 and 2, this Court, without going into the merits of the case, directs the respondents 1 and 2 to dispose of the petitioner's representation, dated 21.10.2022, on merits and in accordance with law, after providing an opportunity of hearing to all the necessary parties, within a period of twelve weeks from the date of receipt of a copy of this order.



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7. This Writ Petition stands disposed of with the above direction. No costs. Consequently, connected Miscellaneous Petition is closed.

Index : Yes/No
smn2

07.11.2022

To

- 1.The District Registrar,
Department of District Registrar Office,
Tenkasi,
Tenkasi District.
- 2.The Sub-Registrar,
Department of Registration,
Uthumalai,
Tenkasi District.



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V.BHAVANI SUBBAROYAN, J.

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Order made in
W.P.(MD)No.25190 of 2022

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