



W.P.(MD)No.26869 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.11.2022

CORAM

THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition (MD) No.26869 of 2022

Semban, S/o.Ponnusamy

.. Petitioner

Versus

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

2.The Sub-Registrar,
Thuvarankurichi Sub-Registrar's Office,
Thuvarankurichi,
Trichy District.

3.Rasu, S/o.Silamban

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to conduct an enquiry as per Circular of the Inspector General of Registration, Chennai, in Circular No.24819/C1/2021, dated 14.09.2022 on the basis of petitioner's representation dated 14.09.2022, and consequently, to remove all the entries in encumbrance in respect of Document No.946/1990 dated 11.12.1990 and further transaction in respect of S.F.No.139/1A and 139/1B for a total extent of 0.63.5 and 0.88.0 Hectares, situated at Marungapuri Village, Marungapuri Taluk, Trichy District.

For Petitioner : Mr.T.Vadivelan

For Respondents 1 and 2 : Mr.S.R.A.Ramachandran
Additional Government Pleader



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ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to conduct an enquiry as per Circular of the Inspector General of Registration, Chennai, in Circular No.24819/C1/2021, dated 14.09.2022, on the basis of his representation dated 14.09.2022, and consequently, to remove all the entries in encumbrance in respect of Document No.946/1990 dated 11.12.1990, and further transaction in respect of S.F.No. 139/1A and 139/1B, for a total extent of 0.63.5 and 0.88.0 Hectares, situated at Marungapuri Village, Marungapuri Taluk, Trichy District.

2. Heard Mr.T.Vadivelan, learned counsel for the petitioner and Mr.S.R.A.Ramachandran, 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 third respondent is dispensed with.

4. According to the learned counsel for the petitioner, the subject mentioned property devolved on the petitioner by virtue of a settlement deed



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bearing Document No.1812 of 2022, dated 16.06.2022. While so, the third respondent created forged documents in respect of the aforementioned property and fabricated the Patta in his favour, claiming that he purchased the said property from one T.R.K.Kumara Vijayan through a registered sale deed bearing Document No.946/1990, dated 11.12.1990. Hence, the petitioner sent a representation dated 14.09.2022, to the respondents 1 and 2, to cancel the said Document and further transactions in respect of the said property and requested them to take action. Since the same has not been considered so far, the petitioner has approached this Court by way of filing the present Writ Petition for the relief stated supra.

5. The learned Additional Government Pleader appearing for the respondents 1 and 2 submitted that based on the petitioner's representation, dated 14.09.2022, an enquiry would be conducted, after issuing notice to all the necessary parties concerned, and appropriate orders would be passed within a time frame to be fixed by this Court.

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 conduct an enquiry based on the representation of the petitioner, dated 14.09.2022, after



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issuing notice to all the necessary parties concerned, and pass appropriate orders on merits and in accordance with law, within a period of 20 weeks from the date of receipt of a copy of this order.

7. This Writ Petition stands disposed of with the above direction. No costs.

Index : Yes/No
smn2

29.11.2022

To

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

2.The Sub-Registrar,
Thuvankurichi Sub-Registrar's Office,
Thuvankurichi,
Trichy District.



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V.BHAVANI SUBBAROYAN, J.

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Order made in
W.P.(MD) No.26869 of 2022

29.11.2022