



W.P.(MD)No.27277 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.12.2022

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THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

W.P. (MD) No.27277 of 2022

Rengaraj

.. Petitioner

Vs.

- 1.The Inspector General of Registration,
Office of the Inspector General of Registration,
Santhome, Chennai.
- 2.The Deputy Inspector General of Registration,
Office of the Deputy Inspector General of Registration,
Trichy.
- 3.The District Registrar,
Office of the District Registrar,
Trichy.
- 4.The Sub Registrar,
Office of the Sub Registrar,
K.Sathanoor,
Trichy District.

5.S.M.Ravindran

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents 1 to 4 herein to conduct a detailed enquiry and pass orders into the fraudulent registration of the above said documents i.e., Document No.1347/1981, dated 29.03.1981 and 1568/1982, dated 24.08.1982 on the file of the fourth respondent by considering the petitioner's representation dated 05.11.2022.



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in possession and enjoyment of the same without any hindrance. While so, the petitioner submitted a sale deed with regard to the petition mentioned properties to be registered before the fourth respondent, who refused to register the same stating that an objection was received from the fifth respondent as already a sale deed has been registered in the name of the third party, even in the year 1982 with regard to the same property. Hence, the petitioner made a representation 05.11.2022 seeking to conduct enquiry on the forged documents and sale deed. Since the same has not been considered, the petitioner has filed the present writ petition with the aforesaid prayer.

5. The learned Government Advocate appearing for the first and second respondents, on instructions, submitted that the documents sought to be registered are the documents, which were registered long time back. The allegations levelled by the petitioner require oral and documentary evidence and the relief of the petitioner can only be granted by a competent Civil Court.

6. However, no prejudice would be caused to the respondents, if the representation of the petitioner, dated 05.11.2022 is considered on merits and in accordance with law, after hearing the petitioner as well as the rival claimants, if any.



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7. It is also submitted by the learned Additional Government Pleader that since the earlier representation was given to the first to fourth respondents, a fresh representation will have to be submitted before the third respondent, who is the competent authority.

8. Accordingly, this Court, without expressing any opinion on the merits of the matter, directs the petitioner to submit a fresh representation to the third respondent along with all necessary documents within a period of two [2] weeks from the date of receipt of a copy of this order. On receiving such application, the third respondent is directed to consider and pass orders on the representation of the petitioner, dated 05.11.2022 on merits and in accordance with law, after affording an opportunity of hearing and after issuing notice to the petitioner, the fifth respondent and the rival claimants, if any, within a period of twelve [12] weeks therefrom.

9. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

02.12.2022

Index : Yes/No
Internet : Yes/No
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V.BHAVANI SUBBAROYAN, J.

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Order made in
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02.12.2022