



W.P.No.366 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.366 of 2023

Rajeswari

.... Petitioner

-Vs-

- 1 The District Registrar
District Registrar (Registration Department)
Office, Ranipet District.
- 2 The Sub Registrar
Office Of Kaveripakkam Sub Registrar Police
Line Road Kaveripakkam Vellore-632 508.
- 3 Minor.sujitha
- 4 Suresh

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to cancel the family settlement deed dated 02.04.2009 registered as Document No. 2477 of 2009 as it is void ab initio and consequently remove the encumbrance over the house and building in Plot No.23 situated at Kaveripakkam Village Kaveripakkam Sub registrar district Ranipet Registration district and District Survey No. 161/3A admeasuring 1767 1/2 sq.feet.



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For Petitioner : Mr.T.Ananthsekar
For Respondents : Mr.P.Sathish
Additional Government Pleader-for RR 1&2
Notice dispensed with – RR 3 and 4

ORDER

In order to cancel the registered document in Document No.2477 of 2009 dated 02.04.2009 on the file of the 2nd respondent since according to the petitioner it is a fraudulent document obtained by the 4th respondent in the name of the 3rd respondent minor from the petitioner, the petitioner had given a complaint on 05.12.2022 under Section 77A of the Registration Act and to enquire the matter and to pass orders on the said complaint, the petitioner has moved the present writ petition.

2. Reiterating the aforesaid, the learned counsel for the petitioner seeks the indulgence of this Court.

3. Heard Mr.P.Sathish, learned Additional Government Pleader appearing for the official respondents. In view of the order that is going to be passed, notice to the private respondents 3 and 4 is hereby dispensed with.

4. Learned Additional Government Pleader appearing for the official respondents would submit that, if the complaint has been given within the



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meaning of Section 77A of the Act, that would be enquired and orders would be passed after giving an opportunity of being heard to both the petitioner as well as the respondents 3 and 4 within a time frame that may be stipulated by this Court.

5. Having regard to the said submission made by the learned Additional Government Pleader, this Court is inclined to dispose of this writ petition with the following order.

“ That there shall be a direction to the 1st respondent District Registrar to take up the complaint given by the petitioner dated 05.12.2022 and after issuing notice to both the petitioner as well as the respondents 3 and 4, enquire the matter and decide the same on merits and in accordance with law within the meaning of Section 77A of the Act, within a period of 12 weeks from the date of receipt of a copy of this order.”

6. With the above directions, this writ petition is disposed of. No costs.

06.01.2023

Index : Yes/No
Neutral Citation : Yes/No
Speaking Order / Non-speaking order
KST

R. SURESH KUMAR, J.



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KST

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- To
- 1 The District Registrar
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 - 2 The Sub Registrar
Office Of Kaveripakkam Sub Registrar
Police Line Road Kaveripakkam
Vellore-632 508.

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