



W.P.No.538 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.538 of 2023

M.Chennayan

.... Petitioner

-Vs-

1 The Inspector General of Registration
No. 100 Santhome High Road
Chennai 600 028

2 The District registrar
Registration Department
Dharmapuri District.

3 The Sub Registrar
Pappireddipatti, Dharmapuri.

4 Pradeep

5 Selvaraj

6 K.Srinivasan

7 K.Seenivasan

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 2nd respondent to cancel the settlement Deed dated 31.01.2013 registered as Document No. 413/2013 on the file of SRO Pappireddipatti and the Sale Deed dated 05.02.2013 registered as Document No. 477/2013 on the file of SRO Pappireddipatti based on the



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representation of the petitioner dated 03.11.2022 which are fraudulent documents within a stipulated time that may be fixed by this Honble Court.

For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader – for RR 1 to 3
Notice dispensed with – for RR 4 to 7

ORDER

The prayer sought for herein is for a Writ of Mandamus directing the 2nd respondent to cancel the settlement Deed dated 31.01.2013 registered as Document No. 413/2013 on the file of SRO Pappireddipatti and the Sale Deed dated 05.02.2013 registered as Document No. 477/2013 on the file of SRO Pappireddipatti based on the representation of the petitioner dated 03.11.2022 which are fraudulent documents within a stipulated time that may be fixed by this Court.

2. On 03.11.2022, the petitioner had given a complaint / representation to the 2nd respondent / District Registrar to cancel the document which has already been registered, which according to the petitioner, is a fraudulent or bogus document, after hearing the petitioner as well as the private respondents herein, and in order to consider the same and to pass orders within a time frame, the petitioner has moved the present writ petition.



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3. Heard Mr.C.Prabakaran learned counsel for the petitioner and Mr.Yogesh Kannadasan, learned Special Government Pleader learned Special Government Pleader appearing for the official respondents 1 to 3. In view of the order that is going to be passed in this writ petition, notice to the private respondents 4 to 7 is dispensed with.

4. Learned Special Government Pleader submits that, since the said complaint / representation dated 03.11.2022 according to the petitioner is an application within the meaning of Section 77-A of the Registration Act, the same would be considered and decided by the 2nd respondent after giving an opportunity of being heard to the petitioner as well as the private respondents.

5. In that view of the matter, this Court is inclined to dispose of this writ petition with the following order:

“That there shall be a direction to the 2nd respondent to consider the complaint / representation of the petitioner dated 03.11.2022 within the meaning of Section 77-A of the Registration Act and pass necessary orders after giving an opportunity of being heard to both the petitioner as well as the private respondents, within a period of eight weeks from the date of receipt of a copy of this order.”



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KST

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

09.01.2023

Index : Yes/No

Neutral Citation : Yes/No

Speaking Order / Non-speaking order

KST

To

- 1 The Inspector General of Registration
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Chennai 600 028
- 2 The District registrar
Registration Department
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- 3 The Sub Registrar
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