



W.P.No.2897 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.2897 of 2023

Devi

.... Petitioner

-Vs-

1.The Inspector General of Registration
Office of Inspector General of Registration
100, Santhome High Road, Mullima Nagar
Raja Annamalaipuram, Chennai 600 028.

2.The District Registrar
District Registrar Office
Villupuram District.

3.The Sub Registrar
Office of the Sub Registrar
Thirukkivilur, Villupuram District.

4.Venkatachalam

5.Bhuvaneshwari

6.Sundaramurthy

.... 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 consider the representation dated 18.06.2022.



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For Petitioner : Mr.C.Iyyapparaj
For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader – for RR1 to 3
Notice dispensed with – for RR 4 to 6

ORDER

The prayer sought for herein is for a Writ of Mandamus directing the 2nd respondent to consider the representation dated 18.06.2022.

2. The petitioner claims that, she is the owner of the property in question as per Document No.1494 of 2013 dated 27.03.2013. However, subsequently another document has been registered as Document No.327 of 2022 dated 30.12.2021 at the Sub Registrar Office, Thirukkivilur, which according to the petitioner is a fraudulent document. Therefore, in order to enquire the matter and to cancel the said document, the petitioner has given a complaint-cum-representation dated 18.06.2022 to the respondents especially the 2nd respondent and in order to consider the same, the petitioner has moved the present writ petition.

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



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4. Learned Special Government Pleader would submit that, the representation submitted by the petitioner dated 18.06.2022 would be enquired into and orders would be passed on merits and in accordance with law after giving an opportunity of being heard to the petitioner as well as the private respondents and a decision would be taken by the 2nd respondent District Registrar on the said representation of the petitioner within a time frame that may be stipulated by this Court.

5. Having regard to the said submission made by the learned Special Government Pleader, 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 enquire into the representation of the petitioner dated 18.06.2022 decide the same, after giving an opportunity of being heard to both the petitioner as well as the private respondents on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.
- It is made clear that even though the said application was submitted on 18.06.2022, at that time since the amendment to the Registration Act, by which Section 22-B and Section 77-A of



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the Act were inserted, the said application since has not been decided so far and is kept pending, the said application / representation necessarily need to be treated as a complaint under Section 77-A of the Act and accordingly the needful shall be undertaken by the 2nd respondent as indicated above.

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

03.02.2023

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



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To

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R. SURESH KUMAR, J.

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