



W.P.No.4548 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.4548 of 2023 and
W.M.P.No.4553 of 2023

K.Kanniappan

... Petitioner

Vs

1.The District Collector,
Chengalpattu District,
Chengalpattu.

2.The Tahsildar,
Chengalpattu District,
Chengalpattu.

3.The District Revenue Officer,
Chengalpattu District,
Chengalpattu.

4.The District Registrar,
Chengalpattu District
Chengalpattu.

5.The Sub Registrar
Thiruporur,
Chengalpattu District,
Chengalpattu.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 4 and



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5 to cancel the fraudulent sale registered as Document No.18798 of 2022, 24895 of 2022 dated 27.08.2022 and 10.11.2022 respectively as illegal and consequently forbearing the respondents 4 and 5 from registering any sale and forbearing the respondents 1 to 3 from effecting any name change in the revenue records with respect to the property bearing survey No.61/11B (51 cents) and Survey No.61/15A (0.15 cents) bearing Door No.20, Othivakkam Village, Kumizhi Panchayat, Vandalur, Chengalpattu and to take necessary action to the representation given by the petitioner on 05.09.2022, 28.09.2022 and 23.11.2022 to the 2nd, 3rd and 4th respondents.

For Petitioner : Ms.R.Jayasree

For Respondents : Mr.R.P.Muruganraja
Government Advocate

ORDER

The prayer sought for herein is for a writ of mandamus directing the respondents 4 and 5 to cancel the fraudulent sale registered as Document No.18798 of 2022, 24895 of 2022 dated 27.08.2022 and 10.11.2022 respectively as illegal and consequently forbearing the respondents 4 and 5 from registering any sale and forbearing the respondents 1 to 3 from effecting any name change in the revenue records with respect to the property bearing Survey No.61/11B (51 cents) and Survey No.61/15A (0.15 cents) bearing Door No.20, Othivakkam Village, Kumizhi Panchayat, Vandalur, Chengalpattu and to take necessary action on the representation given by the petitioner on 05.09.2022, 28.09.2022 and 23.11.2022 to the 2nd, 3rd and 4th respondents.



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2. The petitioner has given a complaint cum representation on 05.09.2022 to cancel the Document No.15306/2014 on the file of the 5th respondent in respect of property at Survey No.61/11B (51 cents) and Survey No.61/15A (0.15 cents) situated at Othivakkam Village, Kumizhi Panchayat, Vandalur, Chengalpattu.

3. The said representation cum complaint was given within the meaning of Section 77-A of the Registration Act to the 4th respondent District Registrar, therefore in order to enquire the matter and decide the same on merits within a time frame, the petitioner has moved the present writ petition.

4. Heard the learned counsel appearing for the petitioner and Mr.R.P.Muruganraja, learned Government Advocate appearing for the respondents.

5. The learned Government Advocate for the respondents would submit that, the said complaint cum representation given by the petitioner would be enquired into and decided by the 4th respondent on merits and in



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accordance with law, of course after giving an opportunity of being heard to the petitioner/complainant as well as the persons against whom such complaint has been given.

6. Considering the said submissions made by the learned Government Advocate for the respondents, this Court is inclined to dispose of this writ petition with the following orders:

There shall be a direction to the 4th respondent to consider the complaint cum representation submitted by the petitioner dated 05.09.2022 and after due enquiry by giving opportunity of being heard to both the petitioner as well as the rival parties orders shall be passed thereon within a period of eight weeks from the date of receipt of a copy of this order.

7. With this direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

16.02.2023

Index : Yes / No
Speaking Order : Yes / No



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Sgl

WEB COPY To

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Chengalpattu District,
Chengalpattu.
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R.SURESH KUMAR, J.

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