



WEB COPY



W.P.No.2511 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2023

CORAM

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.No. 2511 of 2023

R.Sundararajan

.. Petitioner

Versus

1.The Inspector General of Registration
No.100, Santhome High Road
Mandavelipakkam
Raja Annamalaipuram
Chennai

2.The District Registrar
Chengalpat District
Office of the District Registrar Chengalpat
Thirukalukundram
Chengalpet District

3.The Tahsildar
Thirukalukundram Taluk
Chengalpat District

4.D.Loganathan

5.V.Ruthracham

6.Meena

.. Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 2 and 3 to initiate proceedings on the complaint lodged by the petitioner lastly on 21.11.2022



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but by invoking the provisions of Section 22(b) of Registration Act.

For Petitioner

: Mr.P.Dinesh Kumar

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For Respondents

: Ms.Akila Rajendran

Government Advocate

ORDER

This Petition has been filed seeking to direct the respondents 2 and 3 to initiate proceedings on the complaint lodged by the petitioner lastly on 21.11.2022 but by invoking the provisions of Section 22(b) of Registration Act.

2. The case of the petitioner is that the petitioner purchased the property in Survey No.168, Thirukalukundra Kunnavakkam Village, Chennai Registration District vide Doc.No.4586 of 2005 on the file of the second respondent and revenue records is also mutated in their favour. The grievances of the petitioner is that the on the coercion of the respondents 4 and 5, he executed a sale deed in favour of the sixth respondent on 20.03.2014 vide Doc.No.1605/2014. Therefore, the petitioner made a complaint on 21.11.2022 seeking to initiate proceedings under Section 22 B of the Registration Act which is pending without consideration till date. Hence, this writ petition.



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3. Heard the learned counsel for the petitioner and the learned

Government Advocate and perused the materials placed on record.

4. At the outset, this Court is of the view that this writ petition cannot be maintained for the simple reason that the allegations of the petitioner would indicate that he has executed the subject document under coercion of some of his relatives. This Court is of the view that when the document was consciously executed, now, pleading coercion and undue influence in writ petition is not permissible. Same has to be established by filing appropriate Civil Suit. However, this Court is of the view that even for approaching the Civil Court, also subject to the period of limitation.

5. Such view of the matter, the relief prayed by the petitioner cannot be granted. Hence, this writ petition stands dismissed. No costs.

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Index : Yes / No

Speaking Order : Yes / No

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Neutral Citation : Yes/No

N.SATHISH KUMAR, J.

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To

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