



WEB COPY



W.P. No.4109 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2023

CORAM

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. No.4109 of 2023

Thiyagaraj

... Petitioner

Vs.

1.The District Registrar,
Krishnagiri – 635 001.

2.The Sub Registrar,
Hosur – 635 109,
Krishnagiri District.

3.Bharath

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the 1st respondent to complete the proceedings initiated in Na.Ka.No.8394/U/2021 dated 03.01.2023 as per Section 77-A of the Registration Act, 1908.

For Petitioner : Mr.M.Mohamed Riyaz

For Respondents : Mr.Yogesh Kannadasan
Spl. Government Pleader for R1 & R2

ORDER

The prayer sought for herein is for a writ of mandamus directing the 1st respondent to complete the proceedings initiated in Na.Ka.No.



W.P. No.4109 of 2023

8394/U/2021 dated 03.01.2023 as per Section 77-A of the Registration Act, 1908.

2. In respect of Document Nos.1152 of 2012 and 2757 of 2012 registered on the file Sub Registrar Office, Hosur, the 3rd respondent has given a complaint against the petitioner on 11.12.2021 to enquire the matter and to declare the documents in question as fraudulent documents and seek a consequential relief.

3. In this regard, though enquiry was conducted in 2022 itself again on 20.01.2023 further enquiry was conducted pursuant to the summon dated 03.01.2023, where, the petitioner appeared before the 1st respondent who is the Enquiring Officer, so far no orders have been passed, therefore the petitioner has moved the present writ petition.

4. Heard Mr.M.Mohamed Riyaz, learned counsel appearing for the petitioner and Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for respondents 1 and 2. In view of the order going to be passed in this writ petition, notice to the 3rd respondent is dispensed with.



W.P. No.4109 of 2023

5. The learned Special Government Pleader for the official respondents would submit that, if enquiry is already completed necessary orders would be passed by the 1st respondent within a time frame that may be stipulated by this Court.

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

There shall a direction to the 1st respondent to consider the application submitted by the petitioner dated 20.01.2023 and if enquiry is already completed, the 1st respondent shall pass orders, otherwise after giving an opportunity of being heard to both the petitioner as well as the 3rd respondent who is the complainant, orders shall be passed on the said complaint given by the 3rd respondent against the petitioner 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.

13.02.2023

Index : Yes / No
Speaking Order : Yes / No
Sgl



WEB COPY



W.P. No.4109 of 2023

R.SURESH KUMAR, J.

Sgl

To

- 1.The District Registrar,
Krishnagiri – 635 001.
- 2.The Sub Registrar,
Hosur – 635 109,
Krishnagiri District.

W.P.No.4109 of 2023

13.02.2023