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W.P.No.3968 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :10.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.3968 of 2023

A.N.Ramesh

... Petitioner

-Vs-

1. The District Registrar (Administration),
Office of the District Registrar,
Thiruvannamalai Road,
Krishnagiri Town, Krishnagiri District.

2. The Sub-Registrar,
Shoolagiri.

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India
praying for the issuance of a Writ of Mandamus, directing the 1st
respondent to initiate action to cancel the impugned sale deed registered
as Document No.513/2001 on the file of the Sub-Registrar, Shoolagiri
dated 02.02.2021 on the basis of the representation of the petitioner dated
12.01.2023 within the time frame to be fixed by this Court.

For Petitioner : Mr.G.M.Ananthakumar

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

The prayer sought for herein is for a writ of mandamus directing
the 1st respondent to initiate action to cancel the impugned sale deed



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registered as Document No.513/2001 on the file of the Sub-Registrar, Shoolagiri dated 02.02.2021 on the basis of the representation of the petitioner dated 12.01.2023 within the time frame to be fixed by this Court.

2. The petitioner had given a complaint to the first respondent in respect of a registered document No.513/2001 on the file of the Sub-Registrar, Shoolagiri i.e., first respondent herein to declare the same as a fraudulent one and seek for a consequential relief of cancel the same and the said complaint given by the petitioner dated 02.02.2021 is pending with the first respondent. Therefore, in order to consider the same by completing the enquiry and to pass orders on merits by the first respondent, the petitioner has moved the present writ petition with the aforesaid prayer.

3. Heard Mr.G.M.Ananthakumar, learned counsel appearing for the petitioner and Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for the respondents.



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4. Learned Special Government Pleader appearing for the respondents would submit that the said complaint given by the petitioner would be considered by the first respondent after giving an opportunity of being heard to both side and would be decided by the first respondent on merits and in accordance with law within a time frame that may be stipulated by this Court.

5. Considering the said submission made by the learned Special Government Pleader appearing for the respondents and taking note of the fact that under Section 77-A of the Registration Act, 1904, the first respondent is empowered to entertain such complaint given by any aggrieved party and after enquiring the same, orders can be passed by the District Registrar like the first respondent, this Court is inclined to dispose of this writ petition with the following order:

That there shall be a direction to the first respondent to consider the complaint given by the petitioner dated 02.02.2021 and after giving an opportunity of being heard to both the petitioner as well as the persons against whom such complaint has been given by the petitioner, decide the said complaint on



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mp

merits and in accordance with law and pass orders thereon within a period of twelve (12) weeks from the date of receipt of a copy of this order.

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

10.02.2023

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
mp

To

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2. The Sub-Registrar,
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