



W.P.No.7655 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2023

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.7655 of 2023

S. Pawan Kumar

... Petitioner

Vs.

1.The District Registrar (Administration),
Office of District Registrar,
JVC Campus, Near ICMR,
Vedanginallur, Tiruvallur.

2.The Sub Registrar,
Avadi Sub Registrar Office,
Avadi, Chennai – 600 054.

3.Rajalakshmi

4.S. Jaishankar

5.S. Om Prakash

6.G. Inbasekaran

7.G. Devirambi

8.P.G. Babu

9.V. Amarajothi

10.S. Devasundari

11.D. Meerabai

12.P.G. Baskar



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13.M. Vasanthi

14.P.G. Sivakumar

15.T. Shanthi

16.S. Sankari

17.C.S. Rajesh

18.V. Amruthra

19.T. Gowri

20.T. Ayyappan

21.T. Devi

22.R. Jeyachandran

23.M.Ulaganathan

24.G.Vivekanandhan

25.S. Dinesh

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st respondent to dispose of complaint dated 23.08.2022 based on the Circular dated 27.09.2022 issued by the Inspector General of Registration, Chennai, within the time limit fixed by this Court.

For Petitioner : Mr.R.R. Mohanaraja

For Respondents : Mr.Yogesh Kannadasan, [R1 & R2]
Special Government Pleader



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ORDER

Heard Mr.R.R. Mohanaraja, learned counsel for the petitioner and Mr.Yogesh Kannadasan, learned Special Government Pleader for the first and second respondents.

2. Since this Court is directing the first respondent to dispose of the petitioner's complaint, after giving due notice and opportunity to the respondents 3 to 25, notice to the respondents 3 to 25, is hereby dispensed with.

3. The petitioner herein had given complaint on 23.08.2022 to the first respondent, seeking for cancellation of the fraudulent registration. Since the said complaint was not considered, the present Writ Petition has been filed.

4. It is needless to point out that whenever a complaint of this nature is made to a Statutory Authority, there is a duty cast upon the respondent to consider the same on its own merits and pass appropriate



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orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the complaint by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the first respondent herein, to dispose of the petitioner's complaint dated 23.08.2022, in accordance with the procedure contemplated under Section 77A of the Registration Act, after giving due opportunity to the persons who had done the registration, as well as the beneficiaries and the witnesses to the deed of conveyance and any other persons who may be interested in the subject property, within a period of four (4) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim made by the petitioner and that it is open to the concerned respondent to consider the same on its own merits.



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6. With the above direction, the Writ Petition stands ordered. No costs.

14.03.2023

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

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To

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M.S.RAMESH, J.

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