



W.P.No.5094 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.5094 of 2023

T.Dharmalingam

.... Petitioner

-Vs-

1.The Inspector General of Registration
100, Santhome High Road, Pattinapakkam
Chennai 600 028.

2.The District Registrar
Registration Department
Tiruvallur-602 001.

3.The Sub Registrar
Gummidipoondi-601 201.

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 2nd respondent to conduct a statutory enquiry under Section 77-A of the Registration Act pursuant to the representation submitted by the petitioner dated 23.11.2022 regarding the cancellation of fraudulent documents executed vide Document Nos.4671/2019, 4672/2019, 4673/2019, 4674/2019 and 4675/2019 dated 31.10.2019 on the file of the 3rd respondent after affording reasonable opportunity of hearing to all the concerned parties and take appropriate legal action thereafter based on the outcome of the said enquiry.



W.P.No.5094 of 2023

For Petitioner : Mr.P.Manoj Kumar
For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

The prayer sought for herein is for a Writ of Mandamus directing the 2nd respondent to conduct a statutory enquiry under Section 77-A of the Registration Act pursuant to the representation submitted by the petitioner dated 23.11.2022 regarding the cancellation of fraudulent documents executed vide Document Nos.4671/2019, 4672/2019, 4673/2019. 4674/2019 and 4675/2019 dated 31.10.2019 on the file of the 3rd respondent after affording reasonable opportunity of hearing to all the concerned parties and take appropriate legal action thereafter based on the outcome of the said enquiry.

2. The petitioner had given a complaint on 23.11.2022 to the 2nd respondent District Registrar in respect of the documents which have already been registered on the file of the 3rd respondent pertaining to the joint family property. The plea of the petitioner is that, though notice has been given by the 2nd respondent on 09.12.2022 to conduct enquiry, subsequently, no further progress has been shown and therefore, in order to complete the enquiry on the complaint given by the petitioner and to pass orders thereon on merits within a time frame the petitioner has moved the present writ petition.



W.P.No.5094 of 2023

3. Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents.

4. Learned Special Government Pleader would submit that, if the enquiry is not already completed, it would be completed, of course after giving an opportunity of hearing to the both the petitioner as well as to the persons against whom such complaint has been given and orders would be passed thereon 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, the 2nd respondent is directed to take up the complaint given by the petitioner dated 23.11.2022 and pass orders thereon on merits and in accordance with law after giving an opportunity of being heard to the petitioner as well as the persons against whom such complaint has been given, within a period of eight weeks from the date of receipt of a copy of this order. With the above directions, this writ petition is disposed of. No costs.

22.02.2023

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



W.P.No.5094 of 2023

To

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W.P.No.5094 of 2023

R. SURESH KUMAR, J.

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