



WEB COPY



W.P.No.5008 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.5008 of 2023

R.Arularasan

... Petitioner

Vs

1.The Inspector General of Registration,
No.110, Santhome High Road,
Chennai – 600 028.

2.The District Registrar,
Office of the District Registrar,
No.52, Orikkai Madhura,
Kancheepuram – 631 502.

3.Jegadeeswari

... 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 consider the petitioner's representation dated 26.10.2022.

For Petitioner : Mr.M.Gnanasekar
for Ms.T.Gnana Banu

For Respondents : Mr.R.P.Muruganraja
Government Advocate for R1 & R2

ORDER

The prayer sought for herein is for a writ of mandamus directing the 1st respondent to consider the petitioner's representation dated 26.10.2022.



W.P.No.5008 of 2023

2. It is the claim of the petitioner that, there has been a fraudulent sale made and document has been registered as Document No.847 of 2022 at SRO, Joint I, Kancheepuram and in order to take action against the concerned Sub Registrar to initiate criminal action seeking sanction for prosecution under Section 197 Cr.P.C., the petitioner had given a permission petition dated 26.10.2022 by way of detailed representation to the 1st respondent/Inspector General of Registration and in order to consider the same and pass orders thereon on merits within a time frame, the petitioner has moved the present writ petition.

3. Heard Mr.M.Gnanasekar, learned counsel appearing for the petitioner and Mr.R.P.Muruganraja, learned Government Advocate appearing for the respondents 1 and 2. In view of the order going to be passed in this writ petition, notice to the 3rd respondent is hereby dispensed with.

4. The learned Government Advocate for the official respondents would submit that, if at all the petitioner wanted to get a permission from the 1st respondent to prosecute the 3rd respondent within the meaning of Section



W.P.No.5008 of 2023

197 Cr.P.C. for which he has given a detailed application cum representation to the 1st respondent dated 26.10.2022 which would be considered and decided by the 1st respondent on merits within a time frame that may be stipulated by this Court.

5. Considering the said stand taken by the learned Government Advocate for the official respondents, this Court directs the 1st respondent to take up the application cum representation given by the petitioner dated 26.10.2022 and after examining the same and by giving an opportunity of being heard to the 3rd respondent, the 1st respondent shall decide the said application cum representation of the petitioner on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

6. With this direction, this Writ Petition is disposed of. No costs.

21.02.2023

Index : Yes / No

Speaking Order : Yes / No
Sgl



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W.P.No.5008 of 2023

R.SURESH KUMAR, J.

Sgl

To

- 1.The Inspector General of Registration,
No.110, Santhome High Road,
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W.P.No.5008 of 2023

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