



W.P.No.14173 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **05.05.2023**

CORAM:

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

W.P.No.14173 of 2023

R.Purushothaman

... Petitioner

Vs.

1.The Inspector General of Registration,
Santhome, Chennai – 600 028.

2.The District Registrar,
Office of the District Registrar,
Chengalpet District.

3.The Sub Registrar,
Office of the Sub Registrar,
Pammal.

4.K.Balasubramaniya Mudaliyar

5.D.Srinivasan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the second respondent, the District Registrar, Chengalpet, to take action against the complaint of the petitioner dated 16.02.2023 to cancel the fraudulent Sale Deeds in D.No.2176/1973 dated 17.10.1973 and D.No.1774/1985 dated 27.05.1985 and subsequent sale deeds in pursuance of the above said fraudulent sale deeds registered on the file of the third respondent.



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W.P.No.14173 of 2023

For Petitioner : Mr.M.Duraimurugan

For Respondents : Mr.K.Suresh
1 to 3 Government Advocate

ORDER

This writ petition has been filed by the petitioner seeking issuance of a writ of mandamus directing the second respondent to take action on the complaint of the petitioner dated 16.2.2023 to cancel the fraudulent sale deeds in D.No.2176/1973 dated 17.10.1973 and D.No.1774/1985 dated 27.5.1985 and the subsequent sale deeds in pursuance of the said fraudulent sale deeds registered on the file of the third respondent.

2. The case of the petitioner is that the lands comprised in Survey No.9 measuring an extent of 1.37 acres; Survey No.5/3 measuring an extent of 53 cents; Survey No.414/2 measuring an extent of 70 cents and Survey No.410/1 measuring an extent of 41 cents, in all an extent of 3 acres 1 cent, situated at No.68, Kerugambakkam Village, Chengalpattu District, originally belonged to the petitioner's grandfather Manickam Naicker and the said Manickam Naicker had settled the said lands in favour of the petitioner's father Ramalingam through a registered settlement dated 6.8.1970. Taking advantage of the incompetency and illiteracy of the petitioner's father, the fourth



W.P.No.14173 of 2023

respondent had created a forged sale deed as if the petitioner's father had sold 1.11 acres of land to him. Like the same, the fifth respondent created a fraudulent sale deed dated 27.5.1985 in respect of 1.90 acres of land. Further case of the petitioner is that on knowing about the fraudulent sale deeds in favour of respondents 4 and 5, the petitioner has made a complaint to the second respondent on 16.2.2023 to cancel the fraudulent sale deeds dated 17.10.1973 and 27.05.1985 and the subsequent sale deeds in pursuance of the aforesaid two sale deeds. Despite receipt of the said complaint, till date no action has been taken by the respondent authorities to cancel the fraudulent sale deeds. Hence, the petitioner has been advised to file the present writ petition for the the aforesaid relief.

3. Today, when the writ petition is taken up for hearing, learned Government Advocate appearing for the official respondents submitted that, if twelve weeks' time is granted, the respondent authorities will consider the complaint of the petitioner dated 16.2.2023 and pass appropriate orders.

4. In the light of the aforesaid submission made by learned Government Advocate, without going into the merits of the complaint dated 16.2.2023 lodged by the petitioner, the writ petition is disposed of with a



W.P.No.14173 of 2023

direction to the respondent authorities to consider the complaint of the petitioner dated 16.2.2023, on merits and in accordance with law, and take necessary action within a period of twelve weeks from the date of receipt of a copy of this order, of course after issuing notice to all concerned, including respondents 4 and 5. There will be no order as to costs.

05.05.2023

Internet : Yes /No
Neutral Citation : Yes/No
sasi/bbr

To

- 1.The Inspector General of Registration,
Santhome, Chennai – 600 028.
- 2.The District Registrar,
Office of the District Registrar,
Chengalpet District.
- 3.The Sub Registrar,
Office of the Sub Registrar,
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W.P.No.14173 of 2023

A.D.JAGADISH CHANDIRA.,J

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W.P.No.14173 of 2023

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