



WEB COPY

W.P.No.17438 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.17438 of 2023

Danalakshmi

... Petitioner

Vs.

1.The District Registrar,
Combined District Registrar Office,
Salaivinayagar Koil Street,
Dharmapuri – 1,
Dharmapuri District.

2.Pethi

3.Murugesan

4.Vanitha

5.Tamilarasu

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to hold enquiry into the fraudulent registration of the Sale Deed in favour of Tamilarasu, son of Thmannannan Reddiar, bearing Document No.4257 of 2019 dated 15.11.2019 on the file of the Sub Registrar Office, Pennagaram and the same may be cancelled and restore the land to the petitioner Danalakshmi, Daughter of Madayan by considering the representation of the petitioner dated 07.03.2023 on the file of the 1st respondent.



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For Petitioner : Mr.R.Sankarasubbu
For R1 : Mr.G.Krishna Raja,
Additional Government Pleader

ORDER

The Writ Petition has been filed for directing the 1st respondent to hold enquiry into the fraudulent registration of the Sale Deed in favour of Tamilarasu, son of Thammanna Reddiar, bearing Document No.4257 of 2019 dated 15.11.2019 on the file of the Sub Registrar Office, Pennagaram and the same may be cancelled and restore the land to the petitioner Danalakshmi, Daughter of Madayan by considering the representation of the petitioner dated 07.03.2023 on the file of the 1st respondent.

2. The issues raised in the present writ petition were adjudicated by this Court in a batch of writ petitions in ***W.P.No.4192 of 2018 [A.Selvam vs. The Sub Registrar, Dadagapatti, Salem District] etc., and batch***, and a judgment was delivered on 15.06.2023. In this regard, the Inspector General of Registration has issued a Letter No.19464/U1/2023 dated 10.06.2023 in Circular No.1 of 2023. The relevant paragraphs of the above said judgment are extracted hereunder:



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“33. In view of the facts and circumstances, the following orders are passed:

- (1) In respect of the complaints pending before the District Registrars concerned and the appeals pending before the respective Appellate Authorities, the Inspector General of Registration shall direct all the authorities to follow Circular No.1/2023 dated 10.06.2023 strictly for the purpose of disposal of the complaints and the appeals in a consistent manner;*
- (2) The Inspector General of Registration is directed to incorporate the further clarifications as stated in this order and issue a fresh Circular within a period of two weeks from the date of receipt of a copy of this order;*
- (3) The respondents are directed to relegate the parties to approach Civil Court of Law, in the event of disputed facts regarding civil rights exist between the parties.*
- (4) In the event of violation of the guidelines issued by the Inspector General of*



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Registration or the directions issued by this Court or any other lapses, negligence or dereliction of duty is found while performing the duties by the authorities, departmental disciplinary proceedings are to be initiated under the relevant Service Rules.

(5) The Inspector General of Registration is directed to conduct periodical Reviews as warranted under the Rules of Public Administration.”

3. In view of the fact that the case of the petitioner is also similar to that of the cases (cited *supra*), the case of the petitioner is also to be considered on the same line.

4. Accordingly, this Writ Petition stands disposed of. No costs.

22.08.2023

skr

Index : Yes

Speaking order



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To
The District Registrar,
Combined District Registrar Office,
Salaivinayagar Koil Street,
Dharmapuri – 1,
Dharmapuri District.



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S.M.SUBRAMANIAM, J.

skr

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