



WEB COPY

WP No.4521 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25-04-2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP No.4521 of 2014

And

MP No.1 of 2014

Sukanya Rao

... Petitioner

Vs.

1.The District Registrar,
Chengelpet District.

2.The Sub Registrar,
Chengelpet District.

3.S.Gubendran

4.Pandi Durai

5.Hemadarshini

6.Priyadarshini

7.V.Ravi

[R-3 to R-7 impleaded vide order of Court
dated 14.08.2018 made in MP No.2 of 2014
in WP No.4521 of 2014]

... Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the second respondent to annul the document dated 27.09.2007 in document No.6750 of 2007.

For Petitioner : Ms.V.Srimathi

For Respondents-1 and 2: Mr.T.Arunkumar,
Additional Government Pleader.

ORDER

The proceedings dated 25.12.2013 issued by the District Registrar (Administration), Chengalpet reveals that after the death of Smt.Saraswathy Ammal on 22.02.1987, a bogus and fraudulent document was registered in document No.1163/IV/2007. Therefore, an offence has been committed impersonating the said Smt.Saraswathy Ammal.

2. Though the District Registrar (Administration) after an enquiry formed an opinion that the document was registered fraudulently, he has not passed any orders cancelling the fraudulent document registered by the parties.



3. Contrarily the District Registrar (Administration) directed the Sub Registrar to initiate criminal prosecution against the offenders.

4. The grievance of the writ petitioner is that the initiation of criminal prosecution is one aspect of the matter, then the bogus and fraudulent document registered by the parties in respect of the subject property is to be cancelled. Thus the petitioner is not in a position to deal with the subject property and it will create a grievous doubt addressed before this Court.

5. The Registrar (Administration), Chengalpet shall pass appropriate and consequential order based on the order dated 25.12.2013 with reference to the request of the petitioner to cancel the Sale Deed executed fraudulently. The abovesaid exercise is directed to be done within a period of eight weeks from the date of receipt of a copy of this order.

6. With the abovesaid directions, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, the



WEB COPY

WP No.4521 of 2



connected miscellaneous petition is closed.

25-04-2023

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
Svn



To

1. The District Registrar,
Chengelpet District.

2. The Sub Registrar,
Chengelpet District.

WP No.4521 of 2



WEB COPY



WEB COPY

WP No.4521 of 2



S.M.SUBRAMANIAM, J.

Svn

WP 4521 of 2014

25-04-2023