



WEB COPY

WP No.17672 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11-07-2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP No.17672 of 2023

And

WMP No.16768 of 2023

Pachaiyammal

... Petitioner

Vs.

1.The District Registrar,
District Registrar Office,
No.10, Kancheepuram Main Road,
Chengalpattu-603 002.

2.The Sub Registrar,
Thirukalukundram,
No.35, Kammala Street,
Thirukazhukundram,
Chengalpattu-603 109.

3.Revenue Divisional Officer,
Revenue Divisional Office (South),
Guindy,
Chennai-600 032.



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4.City Health Officer,
Greater Chennai Corporation,
Ribbon Building,
Chennai-600 003.

5.C.Rani

6.Kala

7.Sampath

8.Jayalakshmi

9.Kamesh

10.Ilakkiya

11.Senthamarai

12.M.Kumar

13.M.Raja

14.Jagan

15.Jayakumar

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to conduct an enquiry on the petitioner's complaint dated 16.03.2023 within short time frame and in consequence to launch prosecution against private



respondents under Section 83 of the Registration Act, 1908 and in consequence to cancel the document Nos.1043/2023, 1061/2023 and 3360/2023 registered in the office of the second respondent as per Section 77A of the Registration Act, 1908.

For Petitioner : Mr.L.Muruganantham

For Respondents-1 to 3 : Mr.E.Sundaram,
Government Advocate.

For Respondent-4 : Ms.P.T.Ramadevi,
Standing Counsel for Greater
Chennai Corporation.

ORDER

The relief sought for in the present writ petition is to direct the first respondent to conduct an enquiry on the petitioner's complaint dated 16.03.2023 within short time frame and in consequence to launch prosecution against private respondents under Section 83 of the Registration Act, 1908 and in consequence to cancel the document Nos.1043/2023, 1061/2023 and 3360/ 2023 registered in the office of the second respondent as per Section 77A of the Registration Act, 1908.



2. The issues raised in the present writ petition were adjudicated by this Court in a batch of writ petitions in **WP No.4192 of 2018 etc. batch [A.Selvam vs. The Sub Registrar, Salem District]** and judgment was delivered on 15.06.2023 and the relevant paragraph-33 of the said judgment is extracted hereunder:-

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

(i) 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;

(ii) 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;

(iii) 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.

(iv) In the event of violation of the guidelines issued by the Inspector General of 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.

(v) 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 present writ petition is also to be considered on the same line.

4. Accordingly, the present writ petition stands disposed of.



However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

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



To

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