



W.P.No.18069 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.18069 of 2023

and

W.M.P.No.17249 & 17251 of 2023

1. Chinnaswamy

2. Somusundaram
Petitioners

...

Vs.

1. The District Registrar,
(Aig Cadre), Coimbatore.

2. The Sub Registrar,
(District Registrar Cadre),
Gandhipuram.

... Respondents

Prayer :- Writ 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 representation made by the petitioner on 06.06.2023 and consequentially direct the 1st respondent to conduct an enquiry under Section 77A of the Registration Act, 1908, in pursuant to the representation dated 06.06.2023 given by the petitioner regarding the fraudulent registration of the WILLS registered as one Doc No.8610/2023.



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For Petitioners : Mr.Mohamed Sajid
For Respondents :
(for R1 to R2) : Mr.G.Krishna Raja, A.G.P.

ORDER

The relief sought for in the writ petition is to direct the 1st respondent to consider the representation made by the petitioner on 06.06.2023 and consequentially direct the 1st respondent to conduct an enquiry under Section 77A of the Registration Act, 1908, in pursuant to the representation dated 06.06.2023 given by the petitioner regrading the fraudulent registration of the WILLs registered as one Doc No.8610/2023.

2.The issues raised in the present writ petition were adjudicated by this Court in a batch of writ petitions in ***W.P.Nos.4192 of 2018 & etc.,*** batch, and a judgment was delivered on ***15.06.2023*** and the relevant paragraphs of the judgment are 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



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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.”



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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. Accordingly, this writ petition stands **disposed of**. No costs. Consequences, connected miscellaneous petitions are closed.

(sha)
Index : Yes
Speaking Order
Neutral Citation : Yes

20.06.2023

To

1. The District Registrar,
(Aig Cadre), Coimbatore.
2. The Sub Registrar,
(District Registrar Cadre),
Gandhipuram.



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S.M.SUBRAMANIAM. J.,

(sha)

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20.06.2023