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W.P.No.28037 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.28037 of 2023

K.Vijayalakshmi

... Petitioner

Vs.

- 1.The Inspector General of Registration,
Office of the Inspector General of Registration,
Santhome High Road, Santhome, Chennai.
2. The District Registrar (Administration),
Office of the District Registrar,
Arts College Road,
Stone House Hil,
Udhagamandalam 643 002.
The Nilgris District.
3. The Sub Registrar,
Sub Registrar Officer,
Coonoor,
The Nilgris District.
- 4.K.B.Nanjan
- 5.K.B.Kannan
- 6.Sarasu
- 7.Mitchi



8.B.Mani

9. B.Raja

10.Rani

11.Lakshmi

12.J.Seetha

13.Sarasu

14. Devagi

15.Indira

16.Chinna

17.J.Raja

18. K.Magesh

19.A.Rangan

20.B.Shanthi

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 & 2 herein to invoke the provisions of Section 77A of the Registration Act, 1908 to conduct the enquiry on the complaint cum Representation dated 18.07.2023 and to pass orders of cancellation of the fraudulent documents being Release Deed in Document No. 2276/2022 dated 10.08.2022 to an extent of 0.24 Acres, Release Deed in Document No. 2277/2022 dated 10.08.2022 to an extent of 0.30 Acres, Release Deed in Document No. 2313/2022 dated 16.08.2022 to



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an extent of 0.24 Acres, Sale Deed in Document No. 2392/2022 dated 24.08.2022 to an extent of 0.78 Acres, Sale Deed in Document No. 3227/2022 dated 23.11.2022 to an extent of 0.431/2 Acres, Sale Deed in Document No.3503/2022 dated 15.12.2022 to an extent of 0.431/2 Acres on the file of the 3rd respondent in respect of the land comprised in Survey No.Old S.No. 469, New S.No. 509/12 for an extent of 1.07 acres, Jagathala-I, Kotagiri Taluk, Nilgiris District.

For Petitioner : Dr.R.Gouri

For R1 to R3 : Mr.G.Krishna Raja
Additional Government Pleader

ORDER

The relief sought for in the present writ petition is to direct the respondents 1 & 2 herein to invoke the provisions of Section 77A of the Registration Act, 1908 to conduct the enquiry on the complaint cum Representation dated 18.07.2023 and to pass orders of cancellation of the fraudulent documents being Release Deed in Document No. 2276/2022 dated 10.08.2022 to an extent of 0.24 Acres, Release Deed in Document No. 2277/2022 dated 10.08.2022 to an extent of 0.30 Acres, Release Deed in Document No. 2313/2022 dated 16.08.2022 to an extent of 0.24 Acres, Sale Deed in Document No. 2392/2022 dated 24.08.2022 to an extent of 0.78



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Acres, Sale Deed in Document No. 3227/2022 dated 23.11.2022 to an extent of 0.431/2 Acres, Sale Deed in Document No.3503/2022 dated 15.12.2022 to an extent of 0.431/2 Acres on the file of the 3rd respondent in respect of the land comprised in Survey No.Old S.No. 469, New S.No. 509/12 for an extent of 1.07 acres, Jagathala-I, Kotagiri Taluk, Nilgiris District.

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:

*“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*



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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 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*



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*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.

27.09.2023

Jeni/ns1
Index : Yes
Neutral Citation : Yes
Speaking order



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To

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Santhome High Road, Santhome, Chennai.
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S.M.SUBRAMANIAM, J.

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