



WEB COPY



W.P.No.4679 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.4679 of 2023 and
W.M.P.No.4695 of 2023

1.J.Selvi
2.K.Ravi
3.K.Uma
4.K.Kumaran

... Petitioners

Vs

1.The Inspector General of Registration,
Santhome High Road,
Mylapore, Chennai.

2.The District Registrar,
South Chennai Registration District,
Chennai.

3.The Sub Registrar,
Joint – I, Sub-Registrar Office,
Saidapet, South Chennai District
Chennai.

4.The Tahsildar,
Velacherry Taluk,
Chennai.

5.A.Prabakar
6.Vinoth
7.S.Krishwar
8.Roshan



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9.Poonawalla Housing Finance Limited,
Having its Branch Office at
No.17-19, Old No.13, B-Block,
7A, 7th Floor, Navin's Presidium,
Nelson Manickam Road,
Chennai – 600 029.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 to 3 to cancel the forged sale deed in Doc.No.8807 of 2021 dated 13.08.2021, settlement deed in Doc.No.11563 of 2021, dated 05.10.2021 and registered MODT deed in Doc.No.11763 of 2021, dated 08.10.2021 on the file of the 3rd respondent based upon the petitioners' representation dated 23.04.2022.

For Petitioners : Mr.A.Manojkumar

For Respondents : Mrs.N.Senthil Selvi
Government Advocate for R1 to R4

ORDER

The prayer sought for herein is for a writ of mandamus directing the respondents 1 to 3 to cancel the forged sale deed in Doc.No.8807 of 2021 dated 13.08.2021, settlement deed in Doc.No.11563 of 2021, dated 05.10.2021 and registered MODT deed in Doc.No.11763 of 2021, dated 08.10.2021 on the file of the 3rd respondent based upon the petitioners' representation dated 23.04.2022.



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2. The petitioners have given a complaint cum representation dated 22.04.2022 to the 2nd and 3rd respondents to cancel the sale deed No.8807 of 2021 dated 13.08.2021 on the file of the 3rd respondent after conducting an enquiry and in order to consider the same and to pass orders thereon seeking direction, the present writ petition has been filed.

3. Heard Mr.A.Manojkumar, learned counsel appearing for the petitioners and Mrs.N.Senthil Selvi, learned Government Advocate appearing for respondents 1 to 4. In view of the order going to be passed in this writ petition, notice to the private respondents is hereby dispensed with.

4. The learned Government Advocate for the official respondents would submit that, the said complaint cum representation dated 22.04.2022 would be considered and after due enquiry orders shall be passed on merits and in accordance with law by the 2nd respondent District Registrar within the meaning of Section 77-A of the Registration Act within a time frame that may be stipulated by this Court.



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5. Considering the said submission made by the learned Government Advocate for the official respondents, this Court is inclined to dispose of this writ petition with the following orders:

There shall be a direction to the 2nd respondent District Registrar to consider the complaint cum representation given by the petitioners dated 22.04.2022 and after due enquiry by giving an opportunity of being heard to both petitioners as well as the private respondents, orders shall be passed thereon within a period of twelve weeks from the date of receipt of a copy of this order.

6. With this direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

16.02.2023

Index : Yes / No

Speaking Order : Yes / No

Sgl



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To

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R.SURESH KUMAR, J.

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