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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.06.2023

CORAM

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

W.P.(MD)No.7746 of 2023

Vimala Suguna

... Petitioner

vs.

1.The District Registrar, Tirunelveli District.

2.The Sub Registrar, Alankulam, Tirunelveli District.

3.M/s.N.P.Resorts Private Limited,
represented by its Power Agent,
Ayyakutti, Tirunelveli District.

4.The Field My Home Infro Private Limited,
represented by its Power Agent,
Sivasubramaniyan, Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the Respondent Nos.1 and 2 herein to conduct enquiry under Section 68(2) of Registration Act, 1908 cancel the registration made in respect of property comprised in S.Nos.265/1, 265/2 and 265/3 situated at Vagaikulam Village, Manur Taluk, Tirunelveli District on the basis of the representations dated 11.11.2022 and 16.03.2023 within a stipulated time period in accordance with law.



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For Petitioner :Mr.A.Selva Kumar
For R1 and R2 :Mr.M.Prakash
Additional Government Pleader

ORDER

The Writ Petition has been filed in the nature of a Mandamus seeking a direction to the first respondent, District Registrar, Tirunelveli District to conduct an enquiry under Section 68(2) of the Indian Registration Act, 1908.

2.Heard Mr.A.Selva Kumar, learned Counsel for the petitioner and Mr.M.Prakash, learned Additional Government Pleader for the respondents.

3.It is stated in the affidavit filed in support of this Writ Petition that the property in S.Nos.265/1, 265/2 and 265/3 at Vagaikulam Village, Manur Taluk, Tirunelveli District had devolved upon the father of the petitioner. The total area is 1.33.50 acres. Patta was also issued in favour of the father of the petitioner. The father died on 30.11.2007.



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4.It is stated that forged documents have been created and a fraudulent document had been registered by the third respondent. The petitioner had given an application under Section 68(2) of Indian Registration Act, 1908.

5.The first respondent may issue notice to the petitioner, sister of the petitioner and also specifically to the third and fourth respondents and conduct an enquiry and after they had entered appearance, examine the petition, examine the documents which are required to be perused and render a finding in manner known to law. Proper opportunity may be given to all the parties. The entire exercise may be completed within a period sixteen weeks from the date of receipt of a copy of this order.

6.The Writ Petition stands disposed of. No costs.

Index :Yes / No
Internet :Yes
NCC : Yes/No
cmr
To

15.06.2023

- 1.The District Registrar, Tirunelveli District.
- 2.The Sub Registrar, Alankulam, Tirunelveli District.

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C.V.KARTHIKEYAN, J.

cmr

Order made in
W.P.(MD)No.7746 of 2023

15.06.2023