



W.P.(MD) No.8199 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.03.2023

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.8199 of 2020

M.Arumuga Nadar

.. Petitioner

Vs.

- 1.The Inspector General of Registration,
No.100, Santhome High Road,
Pattinampakkam,
Chennai-600 028.
- 2.The District Collector,
Tenkasi District, Tenkasi.
- 3.The District Registration Officer,
District Registration Office,
No.57, R.D.O. Complex,
Railway Peter road,
New Bus Stand Near, Tenkasi District.
- 4.The Sub-Registrar,
Sub-Registration Office,
Alangulam Taluk,
Tenkasi District.
- 5.A.Ananthi,
Sub-Registrar,
Sub-Registrar Office,



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Alangulam, Taluk,
Tenkasi District.

6.B.Chanraleka

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing respondents 1 to 4 to cancel the Deed in the petitioner property situated in purchase deed Document No.1.3430/2017 dated 05.04.2017 and Deed No. 3903/2017 dated 18.09.2017 and purchase Agreement Deed No.1/4501/2018 dated 19.09.2018 at Alangulam Village, Alangulam Taluk, Tenkasi District and appropriate action taken to respondents 5 and 6 are acting with the intention of expropriating the petitioner's property based on the petitioner's representation made to the 1st to 4th respondents sent through Register Post on 11.07.2020 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.M.Ganeshkamu

For RR1 to 4 : Mr.M.Prakash
Additional Government Pleader

ORDER

This writ petition is filed for a mandamus directing respondents 1 to 4 to cancel the deed in Document No.1/3430/2017 dated 05.04.2017, the deed in Document No.3903/2017 dated 18.09.2017 and the purchase



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Agreement Deed No.1/4501/2018 dated 19.09.2018 and take appropriate action against respondents 5 and 6, who are acting with the intention of expropriating the petitioner's property based on his representation 11.07.2020.

2. The petitioner has come to this Court stating that the sixth respondent, who was married to his second son A.Ananth @ Makaan, had remarried after his son's death and is a mother of a son through her second marriage. It is his contention that the sixth respondent created a forged legal heirship certificate showing the petitioner as dead and included her as legal heir without including two of the daughters of the petitioner. On the basis of this illegal legal heirship certificate, the sixth respondent had proceeded to alienate the property to one Sivakumar, who is none else than the cousin brother of her present husband Balaji. In the light of this fraudulent document and the forgery committed by the sixth respondent, the petitioner has submitted a detailed representation on 11.07.2020. However, no steps have been taken to date and therefore, the petitioner has come to this Court.



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3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for respondents 1 to 4.

4. Considering that the request of the petitioner is to consider his representation and taking into account the serious allegation that has been made by him against the sixth respondent, interests of justice would be *subservd*, if this writ petition is disposed of with a direction to the second respondent to consider the petitioner's representation and pass orders.

5. For the above reasons, this Writ Petition is disposed of directing the second respondent to consider the petitioner's representation dated 11.07.2020 and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.
No costs.

28.03.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes
abr



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To

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P.T.ASHA, J.

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