



W.P. (MD).No.17033 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08.11.2023

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD).No.17033 of 2021

Ayyathurai

... Petitioner

Vs

1. The State Rep., by
The Deputy Inspector General of Registration,
Office of the Deputy Inspector of Registration,
Khajamalai, Tiruchirappalli-20.
2. The District Registrar (Administration),
Office of the District Registrar (Administration),
Tiruchirappalli-1.
3. Santhakumar
4. Papa
5. Sivakumar
6. Karthik Raja
7. Ekambaram
8. Kamaraj

... Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 1st respondent to expedite the enquiry based on the petitioner's Appeal, dated 12.03.2020 and consequently directing the 1st respondent to take appropriate action against the respondents nos.3 to 8.

For Petitioner : Mr. S.Krishnan

For Respondents : Mr.K.S.Selvaganesan (R1, R2)
Additional Government Pleader

Mr.A.V.Rajasekaran (R3 to R8)

ORDER

This writ petition has been filed for the issue of a writ of mandamus, directing the first respondent to enquire the representation of the petitioner, dated 12.03.2020 and to take appropriate action against the concerned persons, who have created forged and fabricated certificates and documents and attempted to grab the property belonging to the petitioner.

2.The learned counsel for the petitioner submitted that the fourth respondent had created forged sale deed in favour of the fifth respondent. The third respondent, who was the Sub Registrar, had entertained the document knowing fully well that it was a forged



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document. That apart, that document was prepared by the fourth and fifth respondents and sixth and seventh respondents attested the document of witnesses and the eighth respondent, who is the Advocate, had helped in preparing the document. Therefore, a representation was made by the petitioner before the first respondent to take action. Since the same was not considered, the present writ petition was filed before this Court.

3.The learned counsel for the petitioner further submitted that initially representation was made before the second respondent and since no action was taken, further appeal was made to the first respondent. The learned counsel for the petitioner also brought to the notice of this Court that the document created by the respondents was subsequently cancelled. Therefore, it was contended that departmental action must be taken against the officials and criminal action must be initiated against the private persons as well as the officials, for creating the forged and fabricated documents.

4.The learned Additional Government Pleader appearing for the official respondents submitted that already departmental action has



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been initiated against the concerned Sub Registrar through proceedings, dated 24.08.2022. The relevant documents were placed before this Court.

5.In the considered view of this Court, already departmental action has been initiated against the Sub Registrar. Insofar as the action to be taken against the private individuals, who are said to have created the forged and fabricated document, it is left open to the petitioner to independently proceed against them by giving a criminal complaint.

6.With the above observations, this writ petition stands disposed of. No costs.

08.11.2023

NCC : Yes/No
Internet : Yes/No
Index : Yes/No
PNM

To

1. The Deputy Inspector General of Registration,
Office of the Deputy Inspector of Registration,
Khajamalai, Tiruchirappalli-20.
2. The District Registrar (Administration),
Office of the District Registrar (Administration),
Tiruchirappalli-1.

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N.ANAND VENKATESH, J.

PNM

ORDER IN
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