



W.P.(MD)No.18840 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.11.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.18840 of 2021

1.Retnakumar
2.Jothilakshmi

... Petitioners

Vs

- 1.The Secretary,
Registration Department,
State of Tamil Nadu,
Fort St.George, Chennai.
- 2.The Inspector General of Registration,
100, Santhome High Road,
Pattinapakkam, Chennai - 28.
- 3.DIG of Registration,
St.Marks Road,
Palayamkottai, Tirunelveli-627 002.
- 4.The District Registrar
St.Marks Road,
Palayamkottai, Tirunelveli -627 002.
- 5.The Sub Registrar,
Panakudy, Tirunelveli District.

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 5th Respondent to prefer Police complaint and pursue further proceedings in accordance with



W.P.(MD)No.18840 of 2021

law against the persons who indulged in fraudulent registration of documents as per the order passed in proceedings in Mu.Va.No. 4530/E1/2018 dated 30/01/2019 by the third Respondent.

For Petitioners : Mr.S.Suresh Kumar

For R-1 & R-2 : Mr.K.S.Selva Ganesan,
Additional Government Pleader

ORDER

This Writ Petition has been filed for the issue of writ of mandamus directing the fifth respondent to prefer a Police complaint pursuant to the proceedings of the third respondent dated 30.01.2019, wherein, the third respondent had found that the entire registration was illegal and consequently, directing the fifth respondent to take action against the concerned persons under Sections 82 and 83 of the Registration Act, 1908.

2. Heard the learned counsel on either side.

3. The learned counsel appearing for the petitioners submitted that already some action has been initiated by the fifth respondent during the pendency of this Writ Petition.



W.P.(MD)No.18840 of 2021

WEB COPY

4. In the light of the order passed by the third respondent dated 30.01.2019, the fifth respondent has to necessarily follow up and give a Police complaint against the concerned persons. The fifth respondent is bound by the order passed by the third respondent and he has to necessarily proceed further under Sections 82 and 83 of the Registration Act, 1908. Therefore, there shall be a direction to the fifth respondent to immediately comply with the proceedings of the third respondent dated 30.01.2019 and proceed further to give Police complaint against the concerned persons. This process shall be completed by the fifth respondent within a period of two (2) weeks from the date of receipt of a copy of this order.

5. This Writ Petition is disposed of with the above directions.

No costs.

09.11.2023

NCC:yes/no
Index:yes/no
Internet:yes/no
tsg



WEB COPY



W.P.(MD)No.18840 of 2021

N.ANAND VENKATESH, J.

tsg

To

- 1.The Secretary,
Registration Department,
State of Tamil Nadu,
Fort St.George, Chennai.
- 2.The Inspector General of Registration,
100, Santhome High Road,
Pattinapakkam, Chennai - 28.
- 3.DIG of Registration,
St.Marks Road,
Palayamkottai, Tirunelveli-627 002.
- 4.The District Registrar
St.Marks Road,
Palayamkottai, Tirunelveli -627 002.
- 5.The Sub Registrar,
Panakudy, Tirunelveli District.

W.P.(MD)No.18840 of 2021

09.11.2023