



W.P.(MD) No.21608 of 2021

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

W.P.(MD) No.21608 of 2021

Kanjana

.. Petitioner

Vs.

1.The District Collector,
Theni District,
Theni.

2.The District Registrar,
Theni District,
Theni.

3.Usha Rani,
Sub Registrar,
Theni, Theni District.

4.The Deputy Superintendent of Police,
Vigilance and Anti-Corruption,
Theni, Theni District.

5.Muneeshwaran

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus directing the respondents 1 and 2 to consider the petitioner's representation dated 29.11.2021.



W.P.(MD) No.21608 of 2021

For Petitioner : Mr.P.Alagusundaram
For RR1 & 2 : Ms.D.Farjana Ghoushia
Special Government Pleader
For R3 : Mr.R.Gandhi
Senior Counsel
for M/s.Gandhi Associates
For R4 : Mr.R.Sivakumar
Government Advocate (Crl. Side)
For R5 : No appearance

ORDER

This writ petition has been filed for the issue of Writ of Mandamus directing the 1st and 2nd respondents to deal with the representation dated 29.11.2021 and to take action in accordance with law.

2. The grievance of the petitioner is that she is the owner of the subject property through a settlement deed dated 10.02.2021. She executed a Power of Attorney in favour of the 5th respondent on 12.07.2021. The 5th respondent, without the knowledge of the petitioner, attempted to sell the subject property and managed to get a fabricated life certificate.



W.P.(MD) No.21608 of 2021

WEB COPY

3. The petitioner, on coming to know of the registration of the document, made a representation dated 29.11.2021 before the 1st and 2nd respondents not to release the registered document and to take action against the 3rd respondent. Since the same was not acted upon, the present writ petition has been filed before this Court.

4. Heard Mr.P.Alagusundaram, learned counsel for the petitioner, Ms.D.Farjana Ghoushia, learned Special Government Pleader for the 1st and 2nd respondents, Mr.R.Gandhi, learned Senior Counsel, for M/s.Gandhi Associates, for the 3rd respondent and Mr.R.Sivakumar, learned Government Advocate (Crl. Side) appearing on behalf of the 4th respondent.

5. Except filing a copy of the representation dated 29.11.2021 along with the postal receipt, there is no other document filed in the typed set of papers. That apart, the representation was given on 29.11.2021 and the writ petition was filed on 02.12.2021 within a period of three days. That apart, the property has already been sold and in spite



W.P.(MD) No.21608 of 2021

of the same, the person who had purchased the property has not been made as a party in this writ petition.

6. When the matter was taken up for hearing, the learned Special Government Pleader appearing on behalf of the 1st and 2nd respondents submitted that the document has already been registered as Document No.11347/2021 and the property has been sold in favour of one Rajamani and Shanthi.

7. The learned Government Advocate appearing on behalf of the 4th respondent submitted that the complaint made against the 3rd respondent before the Vigilance and Anti Corruption was found to be frivolous and hence, no enquiry was conducted.

8. The learned Senior Counsel appearing on behalf of the 3rd respondent submitted that the 3rd respondent has been unnecessarily made as a party in the writ petition. The learned Senior Counsel submitted that the petitioner admittedly had executed a Power of



W.P.(MD) No.21608 of 2021

Attorney in favour of the 5th respondent and this was acted upon by the 5th respondent and the property has been sold in favour of third parties. The 3rd respondent had only performed her official duty and she has been unnecessarily dragged into this writ petition.

9. This Court does not find any merit in this writ petition and in any case, the representation made by the petitioner on 29.11.2021 has become stale. Hence, this Writ Petition is dismissed. However, there shall be no order as to costs.

22.12.2023

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

ABR

To

1.The District Collector,
Theni District,
Theni.

2.The District Registrar,
Theni District,
Theni.



WEB COPY



W.P.(MD) No.21608 of 2021

N. ANAND VENKATESH, J.

ABR

3.The Deputy Superintendent of Police,
Vigilance and Anti-Corruption,
Theni, Theni District.

W.P.(MD) No.21608 of 2021

Dated : 22.12.2023