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W.P.(MD)NO.28407 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.01.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.28407 of 2022 and
W.M.P.(MD)Nos.22432 & 22433 of 2022

1. K.Pandian

2. P.Jayalakshmi

... Petitioners

Vs.

1. The Inspector General of Registration,
O/o.The Inspector General of Registration,
100, Santhome High Road,
Chennai – 600 028.

2. The District Registrar (Administration),
O/o.The District Registrar Office,
Virudhunagar District.

3. The Sub Registrar,
Sivakasi Sub Registration Office,
Virudhunagar District.

4. The Sub Registrar,
Thiruthangal Sub Registration Office,
Virudhunagar District.

5. S.Pandiarajan

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st to 4th respondents to conduct necessary enquiry and dispose the petitioner's application for cancellation of



document vide document No.7726/2022 dated 26.07.2022 registered in the office of the 3rd respondent and Doc. No.4181/2022 dated 28.07.2022 registered in the office of the 4th respondent executed in favour of the 5th respondent on the basis of petitioner's representation dated 15.10.2022 within a time stipulated by this Court.

For Petitioners : Mr.G.Thalaimutharasu,
for Ms.C.R.Ponnuthai.

For R-1 to R-4 : Mr.N.Sathees Kumar,
Additional Government Pleader.

* * *

ORDER

Heard the learned counsel appearing for the writ petitioners and the learned Additional Government Pleader appearing for respondents 1 to 4.

2. Considering the nature of relief to be granted, issuance of notice to the fifth respondent is dispensed with.

3. The specific complaint of the writ petitioners is that without paying the entire sale consideration, the private respondent had obtained sale deeds from the writ petitioners.



In substance, the allegation of the petitioners is that they have been cheated. This can furnish suitable cause of action for the petitioners to move either the civil Court or the police authorities.

4. The allegations are *prima facie* cognizable in nature. The registration authority may not be competent to enquire into the issue. I sustain the objection raised by the learned Additional Government Pleader appearing for the official respondents. Granting liberty to the petitioners either to lodge a police complaint or to file a civil suit or both, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

02.01.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes / No

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To:

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O/o.The Inspector General of Registration,
100, Santhome High Road,
Chennai – 600 028.
2. The District Registrar (Administration),
O/o.The District Registrar Office,
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G.R.SWAMINATHAN,J.

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