



WEB COPY



W.P. No.5029 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P. No.5029 of 2018

T.I.Royappan

. . Petitioner

Vs

1.The Inspector General of Registration
Rajaji Salai
Santhome, Chennai

2.The Sub Registrar
Perambakkam Sub Registrar Office
Perambakkam, Tiruvallur

3.Mrs.Nagammal

4.D.Puroshothaman

5.T.D.Ravi

6.Mrs.Usha Rani

. . Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the 2nd respondent to take appropriate legal action against the respondents 3 to 6 under Section 83 of the Registration Act for the offences committed by them in fabricating the NOC



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dt.13.4.2016 in Ref. No.Na.Ka.65 of 2016 in respect of Partition Deed dt.7.4.2016 registered as Doc. No.3242 of 2016 before the Sub Registrar, Redhills by forging the 2nd respondent's signature to the petitioner.

For Petitioner : Mr.S.Nagu Sah

For Respondents : Mr.L.S.M.Hasan Fizal,
Addl. Govt. Pleader for R1 & R2
Mr.P.Srinivasan for R3 to R6

ORDER

This writ petition has been filed seeking a direction to second respondent to initiate legal action against the respondents 3 to 6 under Section 83 of the Registration Act.

2. It is the contention of the writ petitioner that he is the owner of the property in Perambakkam village. It comes under the jurisdiction of the second respondent. However, the respondents 3 to 6, while registering a Partition Deed in respect of the property situated within the jurisdiction of Red Hills, included the property of the petitioner and presented the document. The document said to be an NOC from the Sub Registrar, Perambakkam. According to the learned counsel, the said document is a forged one and it has not been issued by the



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second respondent. Therefore, when the forged documents have been presented before the Register Office, the Sub Registrar has to commence proceedings under Section 83 of the Registration Act and hence he seeks direction.

3. Heard both sides and perused the materials available in the form of typed set of papers. Except the official respondents, the private respondents have not filed their counter.

4. The reply given by the Sub Registrar, Perambakkam indicates that the so called NOC presented before the Red Hills Sub Registrar office has not been issued from their office. In such view of the matter, let the second respondent shall initiate proceedings under Section 83 of the Registration Act against the respondents 3 to 6, within a period of two months from the date of receipt of a copy of this order.

The writ petition is disposed of accordingly. No costs.

10.04.2024

Index : Yes / No
Speaking/non speaking order



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Neutral Citation : Yes/No

Asr

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N. SATHISH KUMAR, J.

Asr

To

- 1.The Inspector General of Registration
Rajaji Salai
Santhome, Chennai
- 2.The Sub Registrar
Perambakkam Sub Registrar Office
Perambakkam, Tiruvallur
- 3.The Government Pleader
High Court, Madras

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