



W.P.No.8960 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :23.04.2024

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.8960 of 2023

R.Loganathan

... Petitioner

Vs.

1.The Deputy Inspector General of
Registration,
Office of Deputy Inspector General of
Registration, Salem.

2.The District Registrar (Administration),
Office of District Registrar,
Namakkal.

3.The Sub-Registrar,
Thirugencode.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 22.11.2022 on merits within a time limit to be fixed by this Court.

For Petitioner : Mr.L.Mouli

For Respondents : Mr.P.Anandhakumar, GA



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ORDER

This Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 22.11.2022 on merits within a time limit to be fixed by this Court.

2. Heard Mr.L.Mouli, learned counsel for the petitioner and Mr.P.Anandhakumar, learned Government Advocate for the respondents.

3. The case of the petitioner is that the petitioner purchased the property in the year 2004. However, now, as per the orders of the first respondent, the entry has been made in the Encumbrance Certificate to the effect that the document is a fraudulent one. In this regard, the petitioner has given a representation on 22.11.2022. However, no orders have been passed. According to the petitioner that the order relied by the District Registrar passed by the first respondent on 11.01.2018 do not relate to the document purchased in the name of the petitioner. However, the second respondent relying upon the first respondent's order dated 11.01.2018 directed the Sub-Registrar to make such entry in the



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Encumbrance Certificate. Pursuant to such directions, the entry has been made.

4. As rightly pointed out by the learned counsel for the petitioner, in the order dated 11.01.2018 passed by the first respondent, it is seen that the document of the year 2004 was never been a subject matter of discussion. While sending communication by the second respondent, the document No.1909 of 2004 was also included without any basis and treated this as a fraudulent document. In such view of the matter, the respondents shall consider the representation of the petitioner and pass order.

5. The counter filed by the respondents indicated that already they directed the petitioner to appear before the second respondent and the petitioner also appeared and orders will be passed expeditiously. Such view of the matter, the second respondent shall pass order within a period of one month from the date of receipt of a copy of this order.

6. With the above observations, this Writ Petition is disposed. No



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costs.

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Index : Yes /No

Speaking / Non-speaking

Neutral Citation : Yes / No

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To

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Office of Deputy Inspector General of
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N.SATHISH KUMAR, J.

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