



W.P.No.10134 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2024

CORAM :

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.10134 of 2019

A.Vijayakulasekara Guptha

... Petitioner

Vs.

- 1.The Inspector General of Registration,
No.100, Santhome High Road,
Mylapore, Chennai – 600 028.
- 2.The District Collector,
Salem District, Salem.
- 3.The Superintendent of Police,
Salem District,
Sankari Main Road,
Nethimedu, Salem – 2.
- 4.The District Registrar (Administration),
Salem East Registration District,
Office of the District Collector,
Salem – 1.
- 5.The Sub Registrar,
Bedhanaickenpalayam Sub-Registrar Office,
Bedhanaickenpalayam,
Salem District – 636 109.
- 6.G.Sekar



W.P.No.10134 of 2019

7.K.Prakash

WEB COPY

8.K.Asaithambi

9.N.Chitra

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, to direct the fourth respondent to conduct necessary enquiry on the complaints of the petitioner dated 04.02.2019, 18.02.2019, 09.03.2019 and 11.03.2019 by giving personal hearing to the petitioner and pass appropriate orders as per the Circular in Letter No.41530/U1/2017 dated 08.11.2017 of the Inspector General of Registration.

For Petitioner : Mr.K.Selvaraj

For Respondents :

For R1, R3 to R5 : Mr.M.Shahjahan
Special Government Pleader

For R2 : Mr.K.Surendran
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking for issuance of a mandamus, to direct the fourth respondent to conduct necessary enquiry on the complaints of the petitioner dated 04.02.2019, 18.02.2019, 09.03.2019 and 11.03.2019 by giving personal hearing to the petitioner and pass appropriate orders as per the Circular in Letter No.41530/U1/2017 dated 08.11.2017 of the Inspector General



W.P.No.10134 of 2019

of Registration.

WEB COPY

2. The case of the petitioner is that the petitioner and his father J.Adhinarayana Chettiar are the absolute owners of the land measuring to an extent of 0.24 Cents comprised in Survey No.315/1A, 1.13 Cents comprised in Survey No.315/1C situated at Ethappur Village, Bedhanaickenpalayam Taluk, Salem District, along with well and pumpsets, vide Partition Deed dated 04.03.1976 registered as Doc.No.793/1976. The petitioner's father J.Adhinarayana Chettiar died on 13.03.2007. While so, when the petitioner applied for Encumbrance Certificate on 24.01.2019, to his shock and surprise, he came to know that names of the sixth to ninth respondents are appearing in the Encumbrance Certificate. In order to avoid further encumbrances, the petitioner also filed a Protest Petition before the fourth respondent on the same day i.e., on 24.01.2019. Later, he came to know that the sixth and seventh respondents illegally created forged and fabricated documents, fraudulent Sale Deed and sold the property to the eight and ninth respondents. In this regard, the petitioner has made complaints on 04.02.2019, 18.02.2019, 09.03.2019 and 11.03.2019, to the official respondents to take appropriate action against the sixth to ninth respondents and to cancel the registration of documents/Sale Deed which were obtained by playing fraud and forgery. However, since no response



W.P.No.10134 of 2019

is forthcoming, the petitioner is constrained to approach this Court seeking for a direction to the fourth respondent. Hence the writ petition.

3. Learned counsel appearing for the petitioner submitted that the petitioner has made several complaints more particularly on 11.03.2019 to the fourth respondent to take appropriate action against the sixth to ninth respondents.

4. In view of the above submission made by the learned counsel appearing for the petitioner, the fourth respondent is directed to consider the complaint dated 11.03.2019 of the petitioner, after giving due notice to both parties, opportunity of personal hearing, to consider the documents submitted by both parties, on merits, in accordance with law and pass appropriate orders by observing the above principles of natural justice, within a period of eight 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.



W.P.No.10134 of 2019

10.07.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation : Yes/No

arb

To

- 1.The Inspector General of Registration,
No.100, Santhome High Road,
Mylapore, Chennai – 600 028.
- 2.The District Collector,
Salem District, Salem.
- 3.The Superintendent of Police,
Salem District,
Sankari Main Road,
Nethimedu, Salem – 2.
- 4.The District Registrar (Administration),
Salem East Registration District,
Office of the District Collector,
Salem – 1.
- 5.The Sub Registrar,
Bedhanaickenpalayam Sub-Registrar Office,
Bedhanaickenpalayam,
Salem District – 636 109.

J.SATHYA NARAYANA PRASAD, J.

arb



WEB COPY



W.P.No.10134 of 2019

W.P.No.10134 of 2019

10.07.2024