



WEB COPY



W.P. No.12203 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.12203 of 2024 and
W.M.P. No.13293 of 2024

1.R.Mohan
2.R.Shankar
3.E.Raji

... Petitioners

Vs

- 1.The Inspector General of Registration
Registration Department
No.100, Santhome High Road, Chennai - 600 028
- 2.The Deputy Inspector General of Registration
Registration Department
Integrated Building for offices of the Commercial
Taxes and Registration Department
Nandanam, Chennai - 600 035
- 3.The District Registrar
Registration Department, Chennai Central
No.268, Bharathi Salai
Express Estate, Royapettah, Chennai - 600 014
- 4.D.Swaminathan
- 5.S.Thirupurasundari
- 6.Mrs.C.Bama



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7.A.Chandrasekaran

8.G.Palani

9.Mrs.G.Krishnaveni

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent herein to consider petitioner's representation dated 09.02.2024 within a stipulated time frame.

For Petitioner : Ms.Preethi S.Arasu

For Respondents : Mr.P.Anandhakumar,
Government Advocate for R1 to R3

ORDER

This writ petition has been filed for a direction to the third respondent herein to conduct an enquiry with regard to the fraudulent transaction, based on petitioners' representation dated 09.02.2024.

2. It is the case of the petitioners that the petitioners and their family members are the owners of the property in question. Originally, the properties



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were held by the grandmother of the petitioners. After that, the properties were devolved in the petitioners. When the matter stood thus, the respondents 4 to 9 themselves have entered into a settlement deed in the year 2009. Hence the petitioners seek a direction to the Sub Registrar to hold an enquiry and cancel the settlement deed.

3. On perusal of the entire allegation in the representation, this court is of the view that even assuming that the allegation of the petitioners is true, the document will not fall within the ambit of forgery, which enables the Registering Authority to hold an enquiry under Section 77-A of the Registration Act, 1908. In such view of the matter, it is for the petitioners to work out their remedy in a competent civil court and not before the Sub Registrar or the District Registrar.

4. Accordingly, the writ petition is dismissed. No costs. Consequently, the connected writ miscellaneous petition is closed.

11.06.2024

Speaking order / Non-speaking order
Index : Yes / No



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Neutral Citation : Yes / No

Asr

To

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- 4.The Government Pleader
High Court, Madras



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N.SATHISH KUMAR, J.

Asr

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