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W.P.No.23341 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2024

CORAM :
THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.23341 of 2019

P.Murugan

... Petitioner

Vs.

1.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai – 600 028.

2.The District Registrar,
Collectorate,
Villupuram – 605 602.

3.The Sub-Registrar,
Anniyur Registrar Office,
Vikkiravandi Taluk,
Villupuram District – 605 202.

4.C.Krishnamoorthi

5.C.Devaki

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the respondents 1 to 3 to take appropriate action as per the Sections 81, 82 and 83 of the Registration Act, 1908, in respect of the petitioner's complaint, dated 29.05.2019 and 06.06.2019.

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For Petitioner : Mr.N.G.Pressanna
for Mr.J.Agni Selvaraju

For Respondents 1 to 3 : Mr.B.Vijay,
Additional Government Pleader

For Respondents 4 & 5 : No Appearance

ORDER

The petitioner has filed this petition seeking direction to the respondents 1 to 3 to take appropriate action as per the Sections 81, 82 and 83 of the Registration Act, 1908, in respect of the petitioner's complaint, dated 29.05.2019 and 06.06.2019.

2. The case of the petitioner is that the property in dispute is the ancestral property of the petitioner's grand father viz., Chinnaasami. This being so, without the knowledge of the petitioner and other legal heirs, the fourth respondents, who is the son of Chinnaasami has sold some properties of the aforesaid disputed properties and the same was registered as Sale Deed No.1821 of 2010 in favour of the fifth respondent (wife of the fourth respondent) by creating forged and fabricated documents. In this regard, the petitioner has sent a registered complaint to the third respondent on 29.05.2019. However, the same is pending till now. Thereafter, on

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06.06.2019, the petitioner has sent another complaint to the respondents 1 &

2. However, no action was taken against the respondents 4 & 5. Hence, the petitioner has come forward with the present writ petition.

3. Though very many grounds have been raised in this writ petition, learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the respondents to consider the petitioner's complaint/representation dated 29.05.2019 and pass appropriate orders on merits and in accordance with law, within a particular time frame to be fixed by this Court.

4. The learned Additional Government Advocate appearing for the respondents 1 to 3 submitted that since, the competent authority to consider the case of the petitioner is second respondent/The District Registrar, Villupuram District, this Court may direct the petitioner to give a fresh representation before the second respondent.

5. Heard the learned counsel on either side and perused the materials placed on record.



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6. Taking into consideration the limited prayer sought for by the petitioner, without expressing any opinion with regard to the merits of the case, this Court issues the following directions:

(i) The petitioner is directed to give a fresh representation to the second respondent/The District Registrar, Villupuram District, within a period of two weeks from the date of the order.

(ii) On receipt of the said representation, the second respondent/ The District Registrar, Villupuram District is directed to consider the same and pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

7. This Writ Petition is disposed of with the aforesaid observation and directions. No costs.

12.06.2024

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Index : Yes/No

Speaking Order : Yes/No

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To:

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No.100, Santhome High Road,
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- 3.The Sub-Registrar,
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J.SATHYA NARAYANA PRASAD,J.

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