



WEB COPY



W.P. No.31560 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.31560 of 2023

M.Govindarajan

... Petitioner

Vs

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

2.The Superintendent of Police
Office of the Superintendent of Police
Kancheepuram District

3.The Deputy Superintendent of Police
Land Grabbing Wing
Office of the Superintendent of Police
Kancheepuram District

4.The Inspector of Police
T10, Manimangalam Police Station
Tambaram - 602 301

5.E.Durairaj

6.Hari Gopal

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the 1st and 2nd respondent to dispose of petitioner's representation dated 09.01.2021 based on the order passed by the District Registrar (Admin) Chengalpattu issued in Na. Ka. No.582/Aa3/2021 dated 07.12.2021.

For Petitioner : Mr.S.Ilamvaluthi

For Respondents : Mr.B.Vijay, Addl. Govt. Pleader for R1
Mr.S.Sugendran,
Addl. Public Prosecutor for R2 to R4
Mrs.Vijayalakshmi Raju for R5
R6 - Tapal Returned

ORDER

This writ petition has been filed for a direction to the respondents 1 and 2 to dispose of petitioner's representation dated 09.01.2021 based on the order passed by the District Registrar (Admin) Chengalpattu issued in Na. Ka. No.582/Aa3/2021 dated 07.12.2021.

2. It is the grievance of the writ petitioner that he has purchased the property on 22.11.2019 from one Karunanidhi. At the time of Registration, one Balaji was the Sub Registrar concerned. He has verified all the documents



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relating to the sale deed and made an endorsement in the document as "Verified". When the petitioner proposed to dispose of the land, on 24.08.2020, when he presented the document it was informed to the petitioner that the document relied upon by the petitioner was fake and hence refused to register. Hence according to the petitioner, the Sub Registrar concerned has not verified the earlier document properly and allowed the registration in the year 2019. Now it is the stand taken by the registering authority to the effect that the earlier document was fake one. Hence for dereliction of duty, an action is sought against the Sub Registrar.

3. At the outset, this court is of the view that the person against whom an allegation has been made, is not a party in the writ proceedings. From the records, it appears that the original title deed relied upon by the petitioner itself is created by some third parties in the name of one Karunanidhi. The said document was annulled by the authorities vide Na. Ka. No.582/A3/2021 dated 07.12.2021. Now it also appears that a criminal case has also been filed and investigation is pending in Crime No.436 of 2023. In such view of the matter, let the investigation come to its logical end. There cannot be any parallel proceedings. Therefore, merely because some error on the part of the Sub



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Registrar, the same in view of this court, does not require any action. Let the investigation be concluded and proceeded against the real culprits.

4. With the above direction, the writ petition is disposed of. No costs.

09.07.2024

Index : Yes / No

Neutral Citation : Yes / No

Asr

To

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5.The Government Pleader
High Court, Madras

6.The Public Prosecutor, High Court, Madras



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N.SATHISH KUMAR, J.

Asr

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