



W.P.(MD)No.6152 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.6152 of 2021

S.Prema

... Petitioner

Vs.

1. The District Registrar (Administration),
Office of the District Registrar,
Thanjavur District,
Thanjavur.
2. The Sub-Registrar,
Office of the Sub-Registrar,
Valangaiman,
Thiruvarur District.
3. The Sub-Registrar,
Office of the Sub-Registrar,
Kumbakonam Joint-I,
Kumbakonam,
Thanjavur District.
4. Ambika Ammal
5. Gandhi
6. Ramu
7. Thangadurai



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8. Govindarajan

9. Thamaraiselvi

10. Indira

11. Selvi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to conduct enquiry based on the petitioner's representation dated 19.02.2021 and consequently take appropriate action against respondents 2 to 11 in the light of circular in letter No.41530/U1/2017 dated 08.11.2017 issued by the Inspector General of Registration, Chennai.

For Petitioner : Mr.S.Sankar

For R1 to R3 : Mr.S.R.A.Ramachandran
Additional Government Pleader

ORDER

The present Writ Petition has been filed for issuance of a Writ of Mandamus, directing the first respondent to conduct enquiry based on the writ petitioner's representation dated 19.02.2021 and consequently take appropriate action against respondents 2 to 11 in the light of circular issued in letter No.41530/U1/2017 dated 08.11.2017 by the Inspector General of Registration, Chennai.



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2. The case of the writ petitioner is that the property in dispute was purchased in her name by her mother Vairathammal vide sale deed dated 24.05.1962, that subsequently they came to know that the private respondents have created 3 documents viz., sale deed dated 05.05.1967, partition deed dated 31.07.2006 and settlement deed dated 21.12.2018 and that therefore, the writ petitioner has given a representation dated 19.02.2021 to the first respondent to conduct enquiry with regard to the above three documents and the same was not considered by the first respondent till date and hence, the writ petitioner was constrained to approach this Court.

3. The main contention of the writ petitioner is that the writ petitioner is the owner of the property, but the private respondents have created the above said documents. However, the Registrar cannot be directed to decide about the ownership of the property by conducting enquiry under Section 77A of the Registration Act. It is only for the competent civil Court to decide. Hence, this Court is not inclined to pass any order or direction to the official respondents. However, the writ petitioner is at liberty to approach the competent civil Court for appropriate relief.



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4. With the above observation, this Writ Petition is disposed of.

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No costs.

07.03.2024

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

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To

1. The District Registrar (Administration),
Office of the District Registrar,
Thanjavur District,
Thanjavur.
2. The Sub-Registrar,
Office of the Sub-Registrar,
Valangaiman,
Thiruvarur District.
3. The Sub-Registrar,
Office of the Sub-Registrar,
Kumbakonam Joint-I,
Kumbakonam,
Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J

csm

**Order made in
W.P.(MD)No.6152 of 2021**

Dated : 07.03.2024