



W.P.(MD)No.28373 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 28.11.2024

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.(MD)No.28373 of 2024

G.N.Mahendrarvarman

...Petitioner

-Vs-

1.The Deputy Inspector General of Registration,
Thanjavur.

2.The Joint Sub Registrar No.II,
Registration Office,
Pattukottai.

...Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, directing the respondent No.2 to receive and register the document in S.No. 44/2,3,5 Patta Land, Pattukottai Town, Thalaiyari Street, within a time frame limit as fixed by this Court and consider the petitioner representation dated 24.09.2024 and pass such other or further orders as this Court.

For Petitioner

: Mr.S.Mahendra Pathy

For Respondents

: Mr.D.Sadiq Raja
Additional Government Pleader
for RR1 & 2



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ORDER

This writ petition has been filed for a direction, directing the second respondent to receive the sale deed and register the same in respect of the subject property comprised in Survey No.44/2,3,5 situated at Pattukottai Town, Thalaiyari Street, Thanjavur District.

2.The petitioner has owned the property comprised in S.No.44/2,3,5 Pattukottai Town, Thalaiyari Street, Thanjavur District by way of Inam settlement in his favour dated 09.07.2009. While being so, his brother G.N.SundaraPandiyan has indulged in crime by collecting public funds and cheated them in the name of new Ashokan Abarana Maligai. Due to which, an FIR has been registered in Crime No.109 of 2023 on the file of the Inspector of Police, Pattukottai Police Station, Thanjavur District for the offences punishable under Sections 406 and 420 of IPC on the complaint lodged by one Jemila Vettrikodi. In so far as the petitioner is concerned, who is being the brother of the said accused, the second respondent has refused to register the documents in respect of the subject property owned by the petitioner and directed to obtain No Objection Certificate from the concerned police department.



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3.On written instructions, the learned Additional Government Pleader submits that the petitioner's brother G.N.Sundarapandiyan in the name of one Ashokan Abarana Maligai had collected huge money from the general public and cheated them. Admittedly, the property is concerned, it belongs to petitioner's brother . That apart, the subject property was settled in favour of the petitioner in the year 2009. Therefore, the said property was not purchased from the crime proceeds.

4.In view of the above, the petitioner is directed to present the document in respect of the subject property and on receipt of the same, the second respondent is directed to verify with the police, i.e., the Deputy Superintendent of Police, Economic Offences Wing, Thanjavur District and register the same.

5.With the above said observations, this writ petition stands disposed of.

No costs.

28.11.2024

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR



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G.K.ILANTHIRAIYAN. J,

RJR

To

1.The Deputy Inspector General of Registration,
Thanjavur.

2.The Joint Sub Registrar No.II,
Registration Office,
Pattukottai.

3. The Deputy Superintendent of Police,
Economic Offences Wing,
Thanjavur District.

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