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W.P.No.677 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

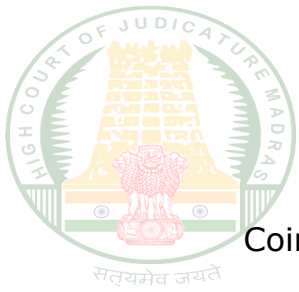
**W.P.No.677 of 2018
And
W.M.P.No.848 of 2018**

Sumathi Infra Project LLP,
A Limited Liability Partnership under the
Limited Liability Partnership Act, 2008,
Represented by its Designated Partner and
Authorized Signatory
Mr.A.Sundararaju

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Represented by its Secretary,
Revenue Department,
Fort St.George,
Chennai – 600 009.
- 2.The Chief Inspector General of Registration,
100, Santhome High Road,
Pattinapakkam,
Chennai – 600 028.
- 3.The District Registrar,
Coimbatore,
Coimbatore District Collectors Office Campus,
102, State Bank Road,
Gopalapuram,
Coimbatore – 641 018.
- 4.The Office of Sub-Registrar,
Thondamuthur,



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Coimbatore – 641 109.

5.J.Nithyanandan
6.N.Shanmugha Sundaram
7.M/s.Sun City Developers
8.Sonia
9.A J Anthony

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records of the fourth respondent in No.18/17 dated 06.11.2017, quash the same as illegal and consequently direct the respondents 3 and 4 to conduct an enquiry under provided the Indian Registration Act 1908 ("Act"), more particularly under S 82 & 83 of the Act including circulars issued by the second respondent in Letter No.41530/U1/2017 dated 20.10.2017 and 08.11.2017 and file a First Information Report against the respondents 5 to 9.

For Petitioner : Mr.Sundar Narayan

For Respondents : Mr.U.Baranidharan for R1 to R4
Special Government Pleader
Mr.Arun Shabari for R5
R6 – Not Ready Notice
Mr.P.Saravanan for R7 to R9

O R D E R

This writ petition has been filed seeking issuance of Writ of Certiorarified Mandamus to call for the records of the fourth respondent in No.18/17 dated 06.11.2017, quash the same as illegal



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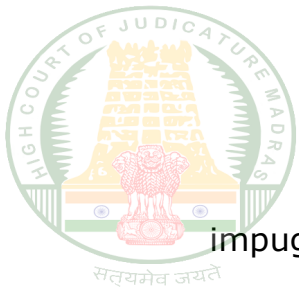
and consequently direct the respondents 3 and 4 to conduct an enquiry

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under the Indian Registration Act, 1908, more particularly under Sections 82 and 83 of the Act including circulars issued by the second respondent in Letter No.41530/U1/2017 dated 20.10.2017 and 08.11.2017 and file a First Information Report against the respondents 5 to 9.

2.The learned counsel appearing for the petitioner submitted that the petitioner is a Limited Liability Partnership under the Limited Liability Partnership Act, 2008. The learned counsel further submitted that the fifth respondent fraudulently sold some of the lands belonging to the petitioner to sixth respondent and the sixth respondent sold the said lands to the seventh respondent, as against which, the petitioner made complaint/ representation before the fourth respondent and the fourth respondent refused to entertain the complaint/ representation citing Section 52 of the Indian Registration Act, however, the complaint/ representation is only to take action in terms of Sections 82 and 83 of the Indian Registration Act.

3.The learned Special Government Pleader submitted that the



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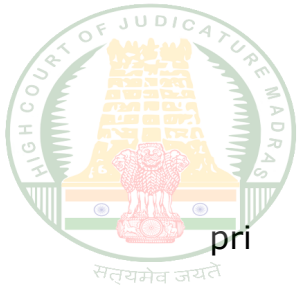
impugned order is *per se* incorrect. Hence, this Court may remit the matter back to the fourth respondent and issue direction to the fourth respondent to hear the petitioner as well as the private respondents and to pass orders.

4.The learned counsel appearing for the private respondents raise no serious objections.

5.In view of the above, the impugned order passed by the fourth respondent dated 06.11.2017 is set aside and the matter is remitted back to the fourth respondent for fresh consideration. The fourth respondent shall consider the matter afresh, hear the petitioner as well as the private respondents and pass orders on merits and in accordance with law and strictly in terms of Sections 82 and 83 of the Indian Registration Act and such exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

6.The writ petition is disposed of with the above observation. No costs. Consequently, connected miscellaneous petition is closed.

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

- 1.The Secretary,
Revenue Department,
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Chennai – 600 009.
- 2.The Chief Inspector General of Registration,
100, Santhome High Road,
Pattinapakkam,
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- 3.The District Registrar,
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