

W.P.(MD)No.11700 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 29.04.2025

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THE HONOURABLE MR. JUSTICE B.PUGALENDHI

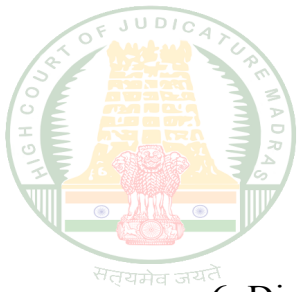
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Kannan

... Petitioner

versus

1. The Director,
Directorate of Vigilance and
Anti-Corruption (DVAC)
No.293, M.K.N.Road,
Alandur,
Chennai – 600 016.
2. The Superintendent of Police,
Southern Range,
Vigilance and Anti-Corruption,
Chennai – 600 016.
3. The Deputy Superintendent of Police,
Vigilance and Anti-Corruption,
1/165G, Alagar Kovil Main Road,
Madurai – 625 002.
4. The Deputy Inspector General of Registration,
O/o.Deputy Inspector General of Registration,
Madurai Zone,
Madurai.
5. Ziauddin



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6. Dinesh

7. Edison

8. Rajendran

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, to direct the respondent No.3 to conduct proper enquiry upon the petitioner's complaint dated 29.11.2024 in Petn. No.16547/2024/REGN/MU dated 27.12.2024 assigned by the 1st respondent office and take appropriate action against the 5th respondent within a stipulated time fixed by this Court.

For Petitioner : Mr.S.Vanchinathan

For R1 to R3 : Mr.T.Senthil Kumar,
Additional Public Prosecutor

For R4 : Mr.P.T.Thiraviam
Government Advocate

ORDER

This writ petition is filed seeking a Mandamus directing the 3rd respondent to conduct a proper enquiry upon the petitioner's complaint dated 29.11.2024 and take appropriate action against the 5th respondent within a stipulated time fixed by this Court.



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2. The learned counsel appearing for the petitioner submits that without any layout approval, documents cannot be registered below 21 cents of lands. However, the 5th respondent herein, by name, Ziauddin, the Sub Registrar of Usilampatti, has registered more than 2000 documents. The petitioner has also attempted to register a document. However, the 5th respondent has demanded huge amount from the petitioner. Thereafter, the petitioner has collected the documents, which were registered by the 5th respondent and lodged a complaint against him before the Vigilance and Anti-Corruption Department on 29.11.2024. But, the complaint of the petitioner has not been attended by the Vigilance and Anti-Corruption Department. Therefore, the petitioner has filed this writ petition.

3. The learned Additional Public Prosecutor appearing for the Vigilance and Anti Corruption Department submits that the complaint of the petitioner has been forwarded to the Inspector General of Registration on 27.12.2024 and they are awaiting the report from the Inspector General of Registration.



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4. The learned Government Advocate submits that the Inspector of General of Registration, has ordered for an enquiry, by appointing the District Registrar, Madurai South, as Enquiry Officer.

5. This Court considered the rival submissions and perused the materials available on record.

6. The petitioner has produced 14 documents, which were registered in the Sub Registrar Office, Usilampatti, for two cents and three cents, etc. A Division Bench of this Court has passed an order that without any layout approval, documents cannot be registered for the plots less than ten cents. Based on the order of the Division Bench, the Government has also amended the provisions of the Registration Act by inserting Section 22A of the Tamil Nadu Registration Act with effect from 20.10.2016. Section 22A of the Tamil Nadu Registration Act is extracted as under:

“22-A. Documents registration of which is opposed



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to public policy. -

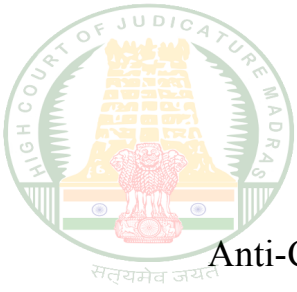
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(1) The State Government may, by notification in the Tamil Nadu Government Gazette, declare that the registration of any document or class of documents is opposed to public policy.

(2) Notwithstanding anything contained in this Act, the registering officer shall refuse to register any document to which a notification issued under sub-section (1) is applicable.”

7. The petitioner has lodged a complaint on 29.11.2024 to the Vigilance and Anti-Corruption Department as well as the Inspector General of Registration. The complaint of the petitioner to the Vigilance and Anti-Corruption Department was also forwarded to the Inspector General of Registration.

8. According to the Vigilance and Anti-Corruption Department, they have treated the complaint as it is a vague complaint. The complaint of the petitioner dated 29.11.2024 was forwarded by the Vigilance and

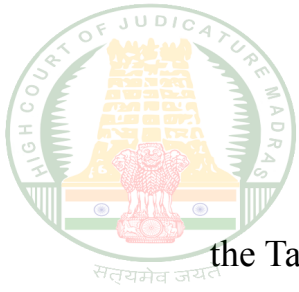


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Anti-Corruption Department to the Inspector General of Registration to ascertain the veracity of the complaint. The Inspector General of Registration has also ordered for an enquiry on the petitioner's complaint by appointing an Enquiry Officer, namely, the District Registrar, Madurai South, on 18.12.2024. Now, they are awaiting the report of the enquiry officer. Depending on the enquiry report, they would proceed against the erring officials.

9. The learned Additional Public Prosecutor also submits that they have conducted trap as against the Sub Registrar on 28.01.2025 and also arrested him red-handed. A case was also registered as against the said Ziauddin in Crime No.1 of 2025 for the offence under Section 7(a) of the Prevention of Corruption Act and he was placed under suspension.

10. The materials placed before this Court *prima facie* make out a case that an Assistant was given In-charge as a Sub Registrar, Usilampatti, enabling him to commit offence and accordingly, he has also registered other documents against the provisions under Section 22A of



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the Tamil Nadu Registration Act.

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11. Since the documents enclosed in the typed set of papers make out a *prima facie* case, this writ petition is disposed of with a direction to the Vigilance and Anti-Corruption Department to conduct a preliminary enquiry and take action in accordance with law. No costs.

29.04.2025

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NCC : Yes / No.

Index : Yes / No.

Internet: Yes / No.

To

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4. The Deputy Inspector General of Registration,
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B.PUGALENDHI, J.

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