

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.13770 of 2015

Aruna Devi

...Petitioner

Vs.

1. The Inspector General of Registration,
Santhome High Road,
Mylapore, Chennai-4.
2. Sub-Registrar, Joint-II,
Dharmapuri.
3. P.Usha Rani
4. G.Kannan

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 and 2 to take action on the petitioner's representation dated 14.05.2013 and remove the entries in Book-1 of the Joint-II, Sub Registrar, Dharmapuri, registering the decree in A.S.No.10/2008 on the file of the Sub-Court, Dharmapuri dated 31.01.2012 relating to the properties in Survey No.446/2, 447 and 448/1A of Annasagaram Village, Dharmapuri District.

For Petitioner : Mr.R.Subramanian

For Respondents : Mr.M.Digvijayapandian
Additional Govt. Pleader for R1 & R2

ORDER

By consent, this writ petition is taken up for final disposal.

2. The petitioner claims that by virtue of registered Sale Deed dated 20.08.2009, she is entitled to 1 Acre and 46 cents in Survey No.446/2, 23½ cents in Survey No.447 and 18½ cents in Survey No.448/1A of Annasagaram Village and right from the date of sale, she is in possession and enjoyment of the property. It is further

stated that the respondents 3 and 4 filed a suit in O.S.No.9/2006 on the file of the District Munsif, Dharmapuri against her husband and father praying for declaration and the said suit after contest was dismissed on 11.12.2007 and aggrieved by the same, the respondents 3 and 4 filed an appeal before the Additional Sub-Court, Dharmapuri and it was also dismissed, vide judgment and decree dated 31.01.2012. However in the said decree, the learned Sub-Judge declared the right of the third respondent to the A and B Schedule properties as covered under document No.A3 sale deed dated 18.04.2001 registered as Doc.No.1186/2005 on the file of the Joint Sub-Registrar, Dharmapuri and challenging the same, her husband and father-in-law have preferred a second appeal in S.A.No.507/2012 and the same is pending. The grievance expressed by the petitioner is that inspite of pendency of the second appeal, such a registration came to be done and in this regard, she submitted a detailed representation dated 14.05.2013 to the second respondent and since no response is forthcoming, came forward with this writ petition.

3. Heard the submissions of Mr.P.Subramanian, learned counsel appearing for the petitioner and Mr.M.Digvijayapandian, learned Additional Government Pleader, who accepts notice for the respondents.

4. This Court, taking into consideration the limited scope of prayer sought for by the petitioner and without going into the merits of the petitioner's representation dated 14.05.2013, directs the petitioner to submit one more representation to the second respondent by enclosing copy of the earlier representation dated 14.05.2013 along with this order copy, within a period of two weeks from the date of receipt of a copy of this order and the second respondent, on receipt of the same, is directed to consider the same after putting on notice the respondents 3 and 4 and pass orders in accordance with law within a period of six weeks thereafter.

5. This Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

jvm

To

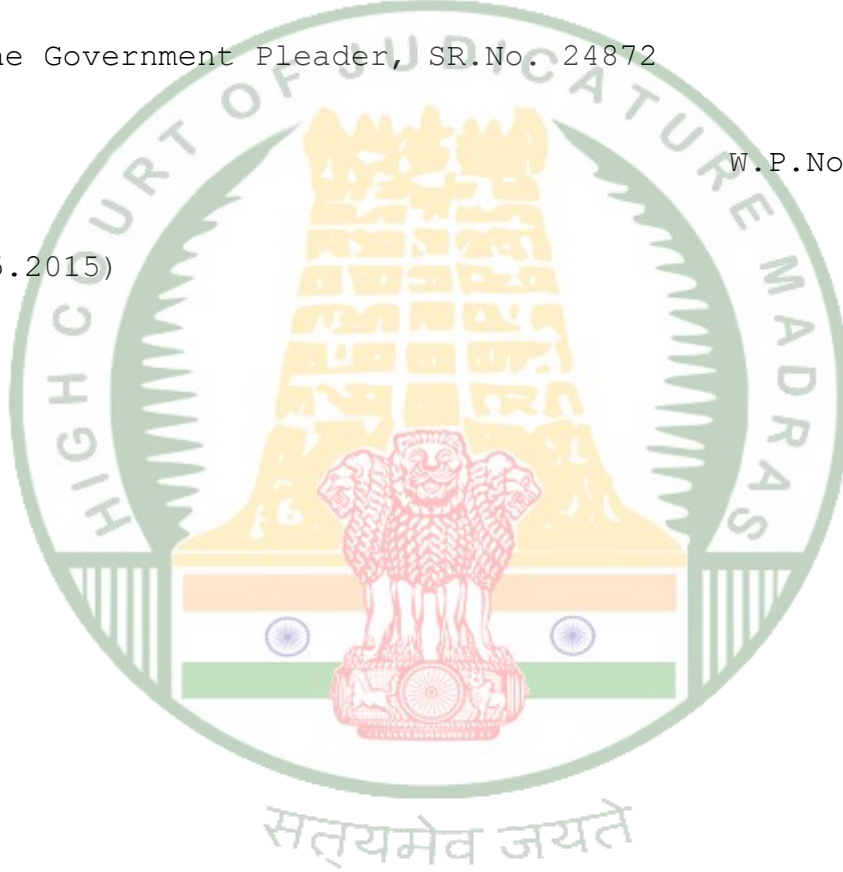
1. The Inspector General of Registration,
Santhome High Road,
Mylapore, Chennai-4.
2. Sub-Registrar, Joint-II,
Dharmapuri.

1 CC to Mr.R.Subramanian, Advocate SR.No. 24888

1 CC to the Government Pleader, SR.No. 24872

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VD (CO)
PSI (19.05.2015)



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