

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.16069 of 2015

and

M.P.No.1 of 2015

Ramsurrath Kumar

...Petitioner

vs.

1. The District Registrar Administration,
Krishnagiri District,
Krishnagiri

2. R.Sivanna

3. D.Umadevi

...Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorari to call for the records relating to the proceedings of the first respondent dated 16.3.2015 made in Na.Ka.No.2711/u/2013 and to quash the same.

For petitioner : Mr.M.Devaraj

For Respondents : Mr.Rm.Muthukumar,G.A.

ORDER

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

2. The petitioner claiming to be the Power of Attorney Agent of Mr.Ameerkhan, Mr.Nazirkhan, Mr.Sadhiqkhan, Mr.Mohabookhan, Mrs.Tahsin and Mr.Shafikhan, would state that a registered Power of Attorney, bearing Document No.23/2003, has been given to him to sell 35.63 acres of land situated in various survey numbers in Achettipalli Village, Krishnagiri District and according to the terms and conditions, the principal had agreed to give 18% of the sale consideration and also conveyed various extent of lands to various

persons. The petitioner has also dealt with the lands comprised in S.Nos.270/1 and 270/2, admeasuring to an extent of 2.45 acres and 2.25 acres respectively and entered into an agreement of sale with one Mrs.Geetha, who is none other than his wife and conveyed an extent of 2.25 acres of land in S.No.270/2, in her favour, by means of a registered sale deed, dated 23.2.2009, registered as Document No.609 of 2009 on the file of the Sub-Registrar, Kelamangalam. Subsequently, there was some dispute between the principal and the petitioner and the lands sold in favour of the wife of the petitioner was developed into housing plots. Respondents 2 and 3 had also given a complaint to the first respondent on 14.6.2013, based on which, the first respondent has issued a show cause notice dated 16.3.2015 calling upon the petitioner to offer explanation. In response to the same, the petitioner has also submitted his explanation on 25.3.2015. The grievance of the petitioner is that something more has been stated in the show cause notice apart from the allegations made by respondents 2 and 3 in their complaint dated 14.6.2013, for which he has not been put on notice and it has also been pointed out by him in the explanation given to the show cause notice, dated 25.3.2015. Hence, the petitioner came forward to file this writ petition challenging the illegality of the said notice.

3. Heard the submissions of Mr.M.Devaraj, the learned counsel for the petitioner and Mr.Rm.Muthukumar, the learned Government Advocate, who accepts notice for the first respondent.

4. This Court, without going into the merits of the case projected by the petitioner, directs the first respondent to consider and dispose of the petitioner's explanation dated 16.3.2015, in accordance with law, after giving an opportunity of personal hearing to the petitioner and also put on notice respondents 2 and 3 and pass orders within a period of six weeks from the date of receipt of a copy of this order and till then defer any further action/decision.

5. The writ petition is disposed of accordingly. No costs. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

msk

To

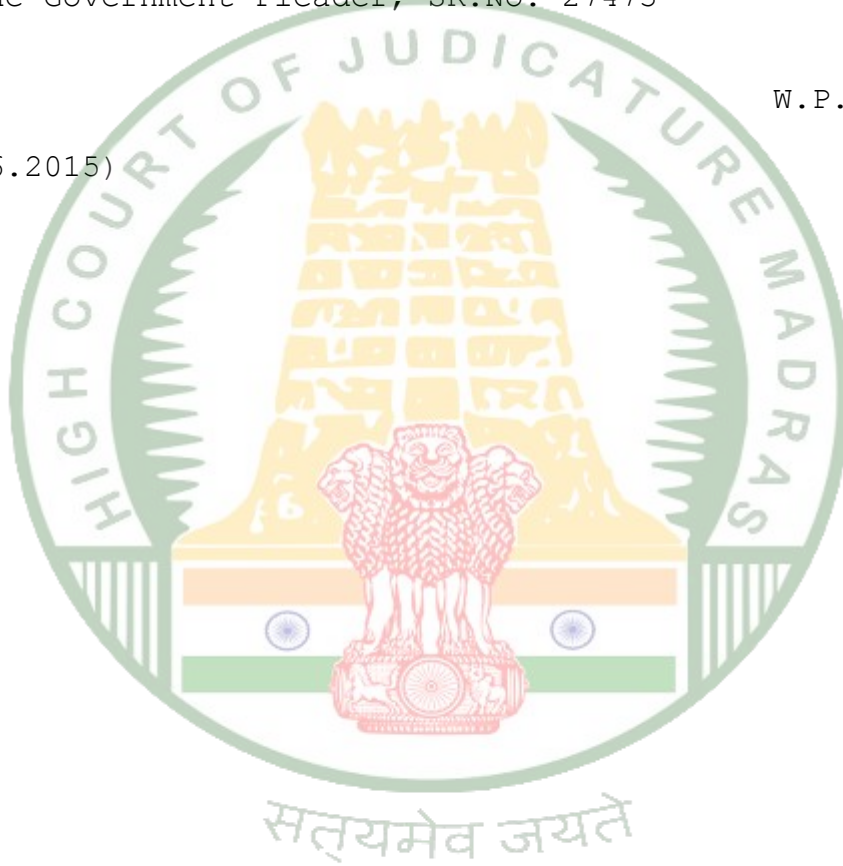
The District Registrar Administration,
Krishnagiri District,
Krishnagiri

1 CC to Mr.M.Devaraj, Advocate SR.No. 27288

1 CC to the Government Pleader, SR.No. 27473

W.P.No.16069 of 2015

KK (CO)
PSI (17.06.2015)



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