

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.06.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.17743 of 2015

N.S.Saravanan

... Petitioner

Vs.

1. The District Registrar
Registration Department
Registrar's Office
Dharmapuri

2. No.1 Joint Sub-Registrar
Registration Department
Sub-Registrar's Office
Dharmapuri

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to take suitable action on the written representations of the petitioner dated 11.05.2015 made to them so as to disclose the entry of the Registered Document Number 153/1991 dated 07.02.1991 on record and in the Encumbrance Certificate in respect of the properties of the petitioner comprised in Survey Number 85/A1A1C1C2A and other properties governed by the registered document number 153/1991 on the file of No.1 Joint Sub-Registrar, Dharmapuri.

For Petitioner : Mr.V.Ayyadurai

For Respondents : Mr.S.Pattabiraman
Government Advocate

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O R D E R

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

2. The petitioner and his co-sharers claim right, title and possession based on the registered partition deed dated 07.02.1991 (Registered as Document No.153/1991 on the file of No.1 Joint Sub-Registrar, Dharmapuri). The petitioner, thereafter, applied for

issuance of Encumbrance Certificate with reference to one of the properties comprised in 85/A1A1C1C2A, T.S.No.88 bearing Door Number 13, Duraisamy Naidu Street, Dharmapuri Town vide application No.341 dated 21.01.2015 and found that the entry relating to the partition deed does not find a place and the petitioner, on enquiry, came to know that very many omissions have been done by inadvertence. The petitioner, in this regard, submitted a written representation dated 11.05.2015 and since he has not been favoured with any response, he came forward to file this writ petition.

3.Heard Mr.V.Ayyadurai, learned counsel for the petitioner and Mr.S.Pattabiraman, learned Government Advocate, who accepts notice on behalf of the respondents 1 and 2.

4. This Court, in the light of the facts and circumstances and without going into the merits of the representation, directs the second respondent to consider and dispose of the representation dated 11.05.2015, in accordance with law, after putting on notice the persons concerned and pass orders within a period of six weeks from the date of receipt of a copy of the order and communicate the decision taken to the petitioner as well as to the persons concerned.

5. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

gpa

To

1. The District Registrar
Registration Department
Registrar's Office
Dharmapuri

2. No.1 Joint Sub-Registrar
Registration Department
Sub-Registrar's Office
Dharmapuri

+1cc to Mr.V.Ayyadurai, Advocate, S.R.No.30474
+1cc to the Government Pleader, S.R.No.30583

W.P.No.17743 of 2015

JSV(CO)
CA(30/06/2015)