

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 24.07.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.NO.22385 OF 2015 AND

M.P.NO.1 OF 2015

Mahalakshmi

.. Petitioner

Versus

1. The Sub Registrar,
Thiruvottiyur,
Chennai - 600 019.

2. V.Mani (Subedar)
(Army No.JC667854K)
Hq ATNK & K AREA,
Island Grounds,
Chennai - 600 009.

.. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, forbearing the respondents from entertaining or registering any document purporting to be either sale or lease or cancellation or revocation of settlement or mortgage or any other document presented by second respondent or his agents, nominees, etc., in respect of the being all that piece and parcel of house, ground and premises bearing door No.25/9, Dr.Radhakrishnan Nagar, Thiruvotriyur, Chennai - 600 019, comprised in Survey No.126/1, Town Survey Field Register Roc No.8064/94; Survey No.126/1A1A1 Part Ward - 1, Block 18, T.S.No.60 extent 525 square feet with ground floor, first floor, second floor and third floor together with amenities of electricity, water and drainage, situated in Radhakrishna Nagar, Thiruvottriur Village, Thiruvottriur Taluk, Thiruvallur District situated within the limits of Corporation of Chennai, situated within the Registration District of Chennai North and Registration Sub District of Thiruvotriur.

For Petitioner : Mr.B.Harikrishnan

For R.1 : Ms.P.Rajalakshmi,
Government Advocate

O R D E R

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

2.The petitioner claims she is the owner of the land bearing Door No.25/9, Dr.Radhakrishnan Nagar,Tiruvotryur, Chennai - 600 019, comprised in Survey No.126/1,Town Survey Files Register Roc.No.8064/94; Survey No.126/1A1A1 part, Ward- 1, Block-18, T.S.No.60, measuring an extent of 525 sq.ft land with ground floor, first floor, second floor and third floor.

3.According to the petitioner, the said property was settled in her favour by her husband T.V.Mani, the second respondent herein through a deed of settlement in Doc.No.4506/2014 dated 30.06.2014. The petitioner would further state that she filed O.P.No.829 of 2013 on the file of the III Additional Family Court, Chennai praying for divorce to dissolve the marriage solemnized on 16.06.1997 and subsequently, she withdrew the above Original Petition on the advice of her husband namely the second respondent herein.

4.It is a specific case of the petitioner that the second respondent herein threatened the petitioner to withdraw the above Original Petition or otherwise, he will unilaterally cancel the deed of settlement dated 30.06.2014 executed by him in favour of the petitioner. But, in this regard, the petitioner submitted a representation dated 13.06.2015 to the first respondent and prays for disposal of the same.

5.I have heard the learned counsel for the petitioner and Ms.P.Rajalakshmi, learned Government Advocate who accepts notice for the first respondent.

6.Though, the petitioner has sought for a larger relief, this Court, without going into the merits of the case as projected by the petitioner, directs the first respondent to consider the representation of the petitioner dated 13.06.2015, on merits and in accordance with law, after putting on notice the second respondent herein and pass orders as expeditiously as possible and not later than eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the second respondent.

7. The writ petition is disposed of, accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

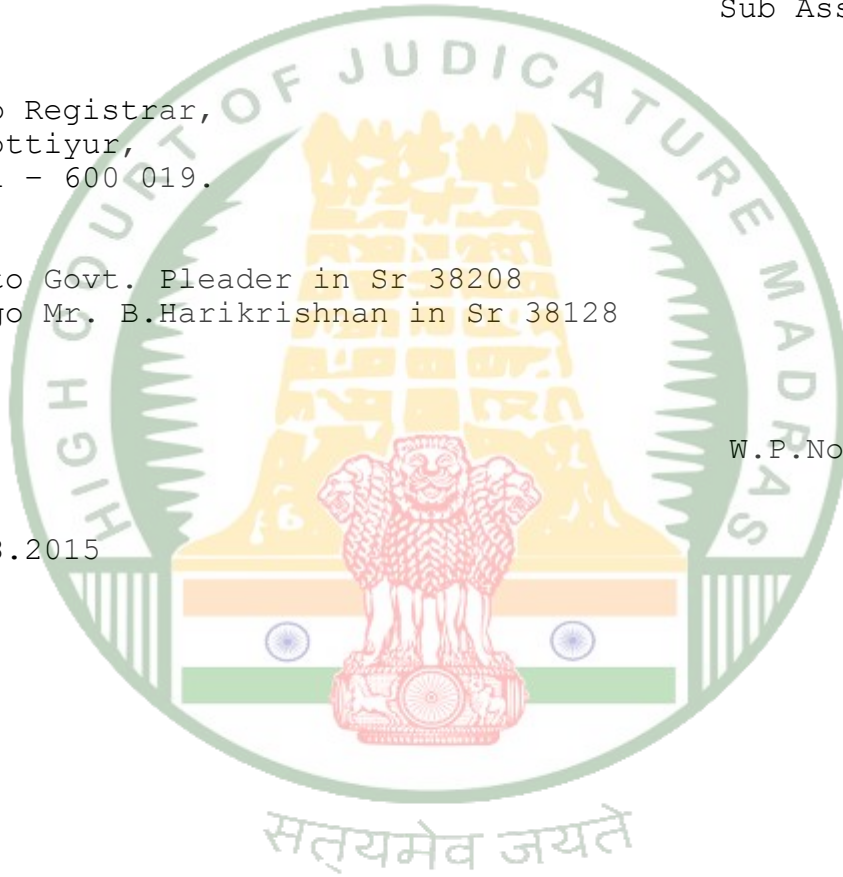
To

1. The Sub Registrar,
Thiruvottiyur,
Chennai - 600 019.

+ one cc to Govt. Pleader in Sr 38208
+ one cc go Mr. B.Harikrishnan in Sr 38128

W.P.No.22385 of 2015

LRS (CO)
RS / 10.08.2015



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