

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.07.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.22729 of 2015

P.Uma

.. Petitioner

Vs

1. The Inspector General of Registration,
Santhome, Chennai.
2. The District Registrar,
Mayiladuthurai District Registration
Office, Mayiladuthurai,
Thanjavur District.
3. The Sub Registrar,
Office of the Sub Registration,
Sirkazhi Taluk, Thanjavur District.
4. A.Kalavathi
5. Malliga
6. R.Vasanthi

.. Respondents

Petition filed under Article 226 of The Constitution of India, praying for the issuance of a Writ of mandamus directing the first respondent to conduct an enquiry in accordance with law and pass an order on merit within stipulated period.

For Petitioner .. Mr.Thanjai P.N.Chezhian

For Respondents .. Mr.S.Pattabiraman,
Govt. Advocate for R1 to R3

ORDER

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

2.The petitioner claims to be the owner of the landed property measuring to an extent of 3.65 acres comprised in Survey No.135/2 situated at Sirkazhi Taluk through a registered sale deed bearing Document No.425/2011 registered on the file of Sub Registrar, Sirkazhi. The petitioner also got necessary permission for putting up

a housing lay out and she received notice from the second respondent and criminal complaint was also lodged against her and one of the buyers of the adjacent property at Kamatchi Nagar has also filed a suit in O.S.No.200 of 2011 on the file of District Munsif, Sirkazhi, wherein the petitioner has entered appearance and filed her written statement. The second respondent, based on the objections given by A.Kalavathi, Malliga and R.Vasanthi with regard to the allegation that the properties owned by them have been conveyed by the petitioner, has passed an order dated 04.06.2012 cancelling the sale deeds in favour of the petitioner with a further direction to take appropriate criminal action against her. The petitioner, aggrieved with the said order, filed an appeal before the first respondent during the year 2012 and it was not given disposal on the ground that the Circular No.67 dated 03.11.2011 issued by the first respondent has been put to challenge and interim order has been granted by the Madurai Bench of this Court. Learned counsel for the petitioner would submit that the said circular is not attracted to the facts and circumstances and even otherwise, the validity of the circular has already been upheld by this Court. Hence there may not be any impediment for directing the first respondent to dispose of the appeal memorandum submitted by the petitioner within a stipulated time.

3.The Court heard the submissions of Mr.S.Pattabiraman, learned Government Advocate, who accepts notice on behalf of respondents 1 to 3.

4.This Court, taking into consideration the limited scope of the prayer sought for by the petitioner and without going into the merits of the claim projected by the petitioner, directs the first respondent to consider and dispose of the petitioner's appeal dated Nil in accordance with law, after putting on notice respondents 4 to 6 and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as respondents 4 to 6. The writ petition is disposed of accordingly. No costs.
mmi

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

1. The Inspector General of Registration,
Santhome, Chennai.
2. The District Registrar,
Mayiladuthurai District Registration
Office, Mayiladuthurai, Thanjavur District.

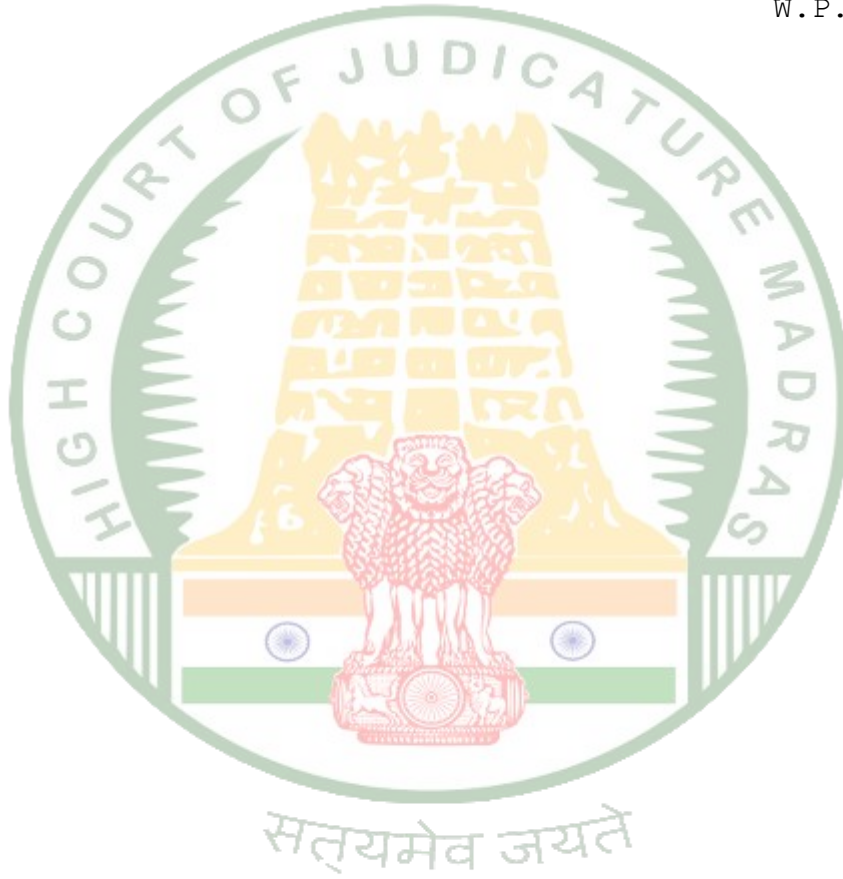
3. The Sub Registrar,
Office of the Sub Registration,
Sirkazhi Taluk, Thanjavur District.

+ 1 cc to Mr.Thanjai P.N.Chezhiyan, Advocate SR 38581

+ 1 cc to Govt.Pleader SR 39108

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