

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.23126 of 2015

P.Ravindran

... Petitioner

Vs.

- 1 The Inspector General of
Registration O/o. Inspector General Of
Registration Government of Tamil Nadu
Santhome Chennai-600 028.
- 2 The District Registrar
(Administration) O/o. District Registrar
(Administration) Registration Department
Government of Tamil Nadu Thirunelveli Dt
Thirunelveli-627 002.
- 3 R.Periyaswamy Nadar ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to expeditiously complete the enquiry on the representation of the petitioner dated 17.04.2014 to cancel the sale deed dated 27.11.2013 registered as Document No.3114 of 2013, S.R.O.Moolaikarai Patti and may pass such further or other orders as this Honourable Court.

For Petitioner : Mr.A.P.Surya Prakasam

For Respondents : Mr.V.Subbiah for R1 and R2
Special Government Pleader

O R D E R

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

2.The petitioner would state that he has filed a suit for partition and separate possession along with his brothers and sisters in O.S.No.122 of 2013 on the file of the District Munsif Court of

Sriivaikundam against his father and also obtained an order of interim injunction in I.A.No.637 of 2013 on 23.07.2013 and it has also been made absolute by the Trial Court against which no appeal has been preferred by the respondent/ defendant therein. One of the brothers of the petitioner after obtaining the said order has also informed the said fact in the form of representation dated 25.07.2013 to the Sub Registrar, Eral.

3.The grievance expressed by the petitioner is that inspite of the subsistence of the order of injunction, his father had sold a portion of the property and therefore, he has repeatedly submitted representation dated 17.04.2014 to the first respondent to conduct the enquiry and also to direct the jurisdictional officer to cancel the said deed and the second respondent was also directed by the first respondent to take suitable steps and since no steps have been taken by the second respondent, came forward to file this writ petition.

4.The learned counsel appearing for the petitioner would submit that inspite of such a direction from the first respondent, the second respondent is keeping quiet and left with no other option, the petitioner is constrained to approach this Court.

5.Heard the submissions of Mr.A.P.Surya Prakasam, learned counsel appearing for the petitioner and Mr.V.Subbiah, learned Special Government Pleader who accepts notice on behalf of the respondents 1 and 2.

6.This Court taking into consideration the limited scope of the prayer sought for by the petitioner and without going into the merits of the same, directs the second respondent to act in accordance with the letter of the first respondent in Letter No.18774/R2/2014 dated 17.05.2014 as well as his own notice to the petitioner dated 08.09.2014 in Na.Ka.No.3468/Aa1/2014 and pass orders in accordance with law after putting on notice the third respondent within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as the third respondent.

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

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

pri

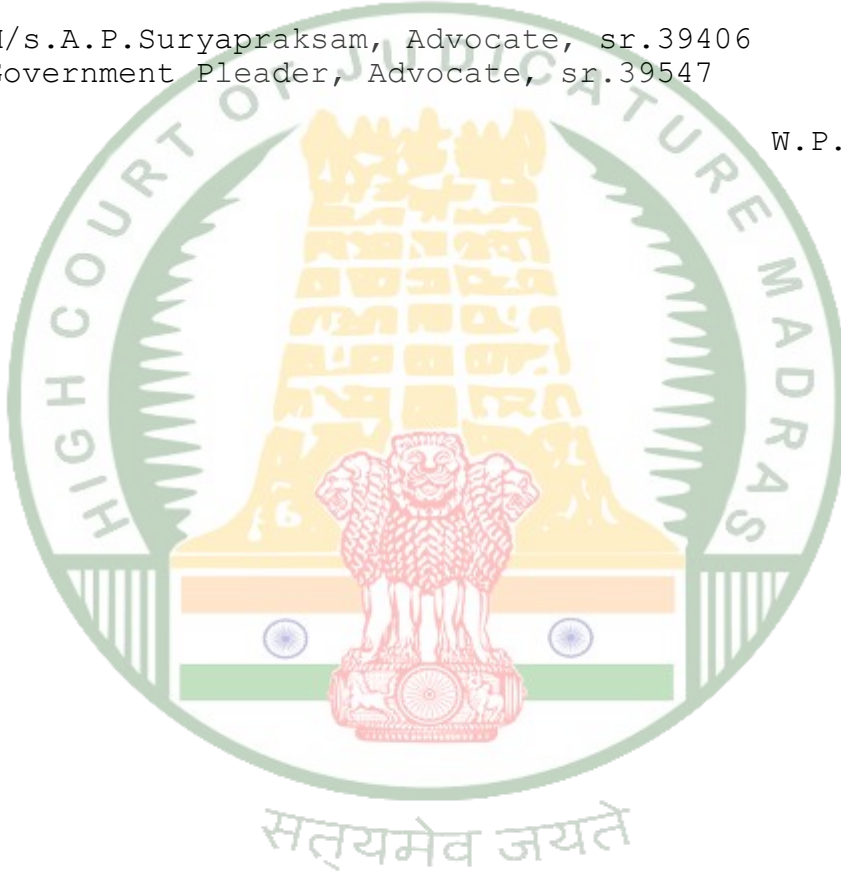
To

- 1 The Inspector General of
Registration O/o. Inspector General Of
Registration Government of Tamil Nadu
Santhome Chennai-600 028.
- 2 The District Registrar
(Administration) O/o. District Registrar
(Administration) Registration Department
Government of Tamil Nadu Thirunelveli Dt
Thirunelveli-627 002.

+1 cc to M/s.A.P.Suryapraksham, Advocate, sr.39406
+1 cc to Government Pleader, Advocate, sr.39547

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rsi(co)
kra(17/08)



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