

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.08.2015

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH

W.P.No. 24475 of 2015

Sagaya Mary

.. Petitioner

Vs

1.The District Registrar
Pudhucherry District,
Saram,
Puducherry -605 013.

2.The Sub-Registrar
Office of the District Registrar,
Saram,
Puducherry-605 013.

... Respondents

Writ Petition filed under Article 226 of Constitution of India praying for issuance of a writ of Mandamus directing the 1st respondent to consider the petitioner representation dated 12.06.2015.

For Petitioner ...Mr.R.Jayaprakash

For Respondents ..Mr.A.Tamilvanan
Government Advocate (Puducherry)

ORDER

Mr.A.Tamilvanan, learned Government Advocate (Puducherry) takes notice for the respondents. By consent, the writ petition is taken up for final disposal at the admission stage itself.

2. It appears that a decree was registered by the respondents, in which the petitioner is not said to be a party. Seeking removal of the same, the petitioner made a representation on 12.06.2015 to the respondents. As the said representation has not been considered, the present writ petition has been filed.

3.The learned counsel appearing for the petitioner submitted that the petitioner is neither a party to the decree nor his property excluded thereunder. Therefore, pending representation dated 12.06.2015, so far as the encumbrance created for the property

of the petitioner is concerned, it will have to be looked into and an appropriate order has to be passed.

4.Taking into consideration the pending representation of the petitioner, without going into merits of the case, the writ petition is disposed of with a direction to the first respondent to pass appropriate orders on the said representation of the petitioner dated 12.06.2015, on merits and in accordance with law, with liberty to the first respondent to hear the petitioner as well as the third party, if so required, within a period of eight weeks from the date of receipt of a copy of this order (or) within a period of eight weeks from the date of production of a copy of this order by the petitioner enclosing the copy of the said representation. No costs.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

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To

1.The District Registrar
Pudhucherry District,
Saram,
Puducherry -605 013.

2.The Sub-Registrar
Office of the District Registrar,
Saram,
Puducherry-605 013.

+1 cc to The Senior Government Pleader -cum-Senior
Public Prosecutor, sr.41524

+1 cc to Mr.R.Jayaprakash, Advocate, sr.41524

vd(co)
kra(26/08)

W.P.No.24475 of 2015

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