

IN THE HIGH COURT OF JUDICATURE AT MADRAS

CORAM

DATED : 11.02.2015

THE HON'BLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.18334 of 2014

Mr.Munibabu
rep by his power of Attorney agent,
Singaraj.

... Petitioner

Vs.

1. The Sub-Registrar,
Thiruvallankadu,
Thiruvallur District.

2. The District Registrar,
Kancheepuram District.

3. The Tahsildar,
Thiruthani Taluk,
Thiruvallur District.

... Respondents

Prayer : Writ Petition has been filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus to direct the first respondent to dispose of petitioner's representation dated 17.04.2014 pertaining to pending documents (22 numbers) from P201300345 to P201300356 and P201300358 to P201300367 at an early date in the expeditious manner.

For the Petitioner : Mr.R.Chittibabu

For the Respondents 1 to 3 : Mr.V.Jayaprakash Narayanan
Special Government Pleader

ORDER

By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for issuance of a Writ of Mandamus to direct the first respondent to dispose of petitioner's representation dated 17.04.2014 pertaining to pending documents (22 numbers) from P201300345 to P201300356 and P201300358 to P201300367 at an early date in an expeditious manner.

3. Mr.Singaraj, who has submitted a representation dated

17.04.2014 is the power agent of the writ petitioner by virtue of a Power of Attorney Deed dated 14.12.2012 in Document No.7373 of 2012, who has been empowered to deal with the properties, which is the subject matter of the writ petition.

4. According to the writ petitioner, Mr.Munibabu, is the absolute owner of the entire lands of 3.76 Acres. The petitioner has formed a layout consisting of 22 plots in the said land and executed 22 Sale Deeds in respect of 22 plots on 26.04.2013 to the third parties. When the documents were presented for registration, since, there was some previous encumbrances in respect of the said land in the Encumbrance Certificate, the first respondent refused to register the Sale Deeds and assigned pending numbers.

5. It is informed by the Revenue Officials that the patta given to the petitioner is genuine. Therefore, the matter was referred to the Tahsildar, Thiruttani, the third respondent for verification. The grievance of the petitioner is that though one year has lapsed, since the patta issued in favour of the petitioner was sent for verification, the same is still pending and till date, no action has been taken and the Sub Registrar cannot keep pending the matter indefinitely.

6. Since the Sub Registrar addressed the Tahsildar, Thiruthani seeking for clarification, it should be obtained within a reasonable time. It appears that almost fifteen months had lapsed, but no action has been taken which is incorrect in the eye of law.

7. Therefore, this Court directs the first respondent to get the information from the third respondent within three weeks from the date of receipt of a copy of this order and thereafter, the first respondent shall issue notice to the petitioner and after hearing him in person, pass necessary orders, within a period of three weeks thereafter. If the patta in favour of the petitioner is found to be genuine or otherwise, an appropriate order shall be passed on merits and in accordance with law.

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

Sd/-
Asst. Registrar

/true copy/

Sub Asst. Registrar.

adl

To

1. The Sub-Registrar,
Thiruvallankadu,
Thiruvallur District.
2. The District Registrar,
Kancheepuram District.
3. The Tahsildar,
Thiruthani Taluk,
Thiruvallur District.

+lcc to Mr.R.Chittibabu, Advocate, S.R.No.7524
+lcc to the Government Pleader, S.R.No.7661

W.P.No.18334 of 2014

GGK(CO)
CA(12/03/2015)



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