

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P.NO.3218 OF 2015

K.A.Palanisamy

.. Petitioner

Vs.

1. The Inspector General of Registration,
Santhome, Mylapore,
Chennai - 600 004.

2. The Sub Registrar,
Erode.

3. S.Devaraj **

.. Respondents

** R3 impleaded as per order dated 24.02.2015
in M.P.No.1/2015 in WP No.3218/2015

* * *

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus directing the respondents herein to consider and to take action on the petitioner's representation dated 04.12.2014.

* * *

For Petitioner : Mr.G.Jeremiah

For Respondents: Mr.R.Vijayakumar,
Addl. Govt. Pleader for RR 1 and 2

O R D E R

Heard Mr.G.Jeremiah, learned counsel for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader for the respondents 1 and 2.

2. With the consent of both sides, this writ petition is taken up for final hearing at the admission stage itself.

3. The petitioner has filed this writ petition seeking a direction upon the respondents herein to consider and to take action on the petitioner's representation dated 04.12.2014. In the light of the order to be passed by this Court, there is no necessity to hear the third respondent.

4. The petitioner and his sister inherited the property in question from their grandfather and there is no partition between them. The petitioner's sister died leaving behind her only son one Arun Vadivel, who is, according to the petitioner, not mentally sound. The third respondent alleged to have purchased the property from Arun Vadivel on 19.03.2014 and the document has been pending with the second respondent for payment of stamp duty.

5. Since the third respondent alleged to have been attempting to grab the property by brining a lunatic person to execute the sale deed, the petitioner submitted a representation dated 04.12.2014 to the respondents seeking detailed enquiry into the issue. The respondents 1 and 2 acknowledged the receipt of the representations. Since the same is pending with the respondents, the petitioner is before this Court with this writ petition.

6. In view of the narrow prayer sought for, the writ petition is disposed of, without going into the merits of the petitioner's claim in the representation dated 04.12.2014, directing the second respondent to consider the said representation of the petitioner and pass appropriate orders on merits and in accordance with law, after giving an opportunity of personal hearing to the petitioner as well as the third respondent, as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar

Dated:12.3.15

True Copy

Sub Assistant Registrar

To

1. The Inspector General of Registration,
Santhome, Mylapore,
Chennai - 600 004.

2. The Sub Registrar,
Erode.

+1 cc to Mr.G.Jeremiah, Counsel for the petitioner,SR.10203.

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ORDER IN
W.P.NO.3218 OF 2015