

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.35047 of 2015
and
M.P.No.1 of 2015

R.Padmavathy

...Petitioner

Vs.

1. The District Registrar,
Office of the District Registrar (Registration)
Tiruppur, Tirupur District.
2. Tmt.Rajeswawri
3. S.Selvarangan
4. Minor S.Balaji
Guardian and father
S.Selvarangan
5. S.Sakthimeena
6. Selvi S.Poornima
7. R.Renganayagi
8. S.Subramaniam
9. S.Ganishkrishnan
- 10.S.Ezhilarai
- 11.Chinnathal
- 12.P.Usharani
- 13.The Sub-Registrar,
Dharapuram,
Tirupur District

...Respondents

This petition is filed under Article 226 of The Constitution of India praying to issue a writ of certiorarified mandamus to call for the records of the first respondent in Na.Ka.No.3911/AA1/2015, quash the order dated 14.08.2015 and direct the 13th respondent to cancel the registration of the sale agreement dated 16.10.2014 registered as Document No.6997/2014 in the office of the Sub-Registrar, Dharapuram.

For Petitioner : Mr.R.Ashrafkhan
For Respondents : Mr.M.Digvijay Pandian,A.G.P.
for R1 and R13

ORDER

Heard Mr.R.Ashrafkhan, the learned counsel for the petitioner and Mr.M.Digvijay Pandian, learned Additional Government Pleader appearing for R1 and R13 and with the consent of either side, the writ petition itself is taken up for final disposal at the admission stage.

2. The petitioner has filed this writ petition seeking for a writ of mandamus to call for the records of the first respondent in Na.Ka.No.3911/AA1/2015 and to quash the order dated 14.08.2015 and direct the 13th respondent to cancel the registration of the sale agreement dated 16.10.2014, registered as Document No.6997/2014, in the office of the Sub-Registrar, Dharapuram.

3. After some argument, the learned counsel for the petitioner seeks permission of this Court to withdraw the writ petition with liberty to file an appeal as against the order impugned, before the appellate authority under the Registration Act. The learned counsel would further submit that in the interregnum if any transaction is done, it would affect the petitioner's interest. Hence, he prays for one more indulgence to grant reasonable time to prefer an appeal, as the impugned order is dated 14.8.2015.

4. Heard the learned Additional Government Pleader on the above submissions.

5. In the light of the above, the petitioner is permitted to withdraw the writ petition and file an appeal before the appellate authority, within a period of ten days from the date of receipt of a copy of this order. The appellate authority shall not reject the appeal on the ground of limitation and shall consider the same on merits and in accordance with law. Since liberty has been granted to file an appeal before the appellate authority, it is needless to state that whatever transaction in the interregnum would be subject to the order to be passed by the appellate authority.

6. The writ petition is disposed of accordingly. No costs. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS- VII)

//True Copy//

Sub Assistant Registrar

msk

Note:

Registry shall return the original order after getting due endorsement from the petitioner.

To

1. The District Registrar,
Office of the District Registrar(Registration)
Tiruppur, Tirupur District.
2. The Sub-Registrar,
Dharapuram,
Tirupur District

1 CC to Mr.R.Ashrafkhan, Advocate SR.No. 59857

1 CC to the Government Pleader, SR.No. 60119

सत्यमेव जयते

W.P.No.35047 of 2015

JSV (CO)
PSI (03.11.2015)

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