IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

W.P. No. 37944 of 2015

A. Devaneethi ..Petitioner

Vs.

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

2. The Sub Registrar,
   Konnur Sub Registrar,
   Chennai - 600 049. ..Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Mandamus directing the 2nd respondent, Konnur Sub-REgistrar, Chennai to delete the entry pertaining to Document No. 3164 of 1997 dated 22.07.1997 in his books.

For Petitioner :: Mr.D. Ashok Kumar

For Respondents:: Mr.P. Sanjay Gandhi,
Addl. Govt. Pleader
for R1
Mr.D. Suriyanarayanan
Govt. Advocate for R2

O R D E R

This writ petition is filed by the petitioner for issue of a Writ of Mandamus directing the 2nd respondent, Konnur Sub-Registrar, Chennai to delete the entry pertaining to Document No. 3164 of 1997 dated 22.07.1997 in his books.

2. Learned counsel for the petitioner submitted that the issue involved, inter se parties, has been settled by the judgment dated 30.09.2010 of the Honourable Apex Court in SLP Nos. 22962 to 22931 of 2007. Therefore, the 2nd respondent will have to be directed to delete the entry pertaining to Document No. 3164 of 1997 dated 22.07.1997.

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3. However, a perusal of the typed set of papers would reveal that the petitioner has approached this Court directly without approaching the 2nd respondent. A writ of mandamus would lie only on violation by a statutory authority from performing his legal duty. Therefore, the writ petition is disposed of giving liberty to the petitioner to submit a detailed representation to the 2nd respondent. As and when such a representation is received, the 2nd respondent shall dispose of the same, within a period of eight weeks, after affording an opportunity to the petitioner as well as to the party, in whose favour, the entry stands, as of now. No costs.

Nv

Sd/-
Assistant Registrar

/True Copy/

Sub-Assistant Registrar

To

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

2. The Sub Registrar,
   Konnur Sub Registrar,
   Chennai - 600 049.

+1 C.C. To The Government Pleader in SR.NO.65249

W.P.NO.37944 of 2015

GJ(CO)
sd : 21/12/2015

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