



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :23.09.2015

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P(MD).No.17204 of 2015

T.Rajalakshmi,
W/o.M.Thiagarajan,
through her power agent
M.Thiagarajan

...Petitioner

Vs.

1.The Inspector General of Registration,
No.28, Santhome,
Pattinampakkam High Road,
Chennai - 600 028.

2.The District Registrar,
District Registrar Office,
No.70, Oovaiar Street,
Opp. Jothi Lodge,
Aranmanai,
Ramanathapuram - 623 501.

3.The Sub-Registrar,
Sub-Registrar Office Rameswaram of
Ramanathapuram District(Admn.),,
Ramanathapuram,
Ramanathapuram District.

...Respondents

This Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents 2 and 3 to dispose of the petitioner's complaint, dated 11.03.2015 preferred under Circular No.67 issued by the first respondent, within the time stipulated by this Court.

For petitioner	: Mr.P.M.Vishnuvarthanan
For Respondents	: Mr.K.Mahesh Raja Government Advocate

ORDER

The Writ Petition has been filed praying for a Writ of Mandamus directing the respondents 2 and 3 to dispose of the petitioner's complaint, dated 11.03.2015 preferred under Circular No.67 issued by the first respondent, within a stipulated time.

2. Mr.M.Murugan, learned Government Advocate takes notice for the respondents.

3. By consent, the Writ Petition itself is taken up for final disposal.



4. In the affidavit it has been averred that the petitioner herein is the second daughter of one V.Kuppusamy Chettiar alias Kuppu Chettiar. The petitioner's grandfather by name Veerabadhra Chettiar had several acres of land in and around Ramanathapuram District. After the demise of Veerabadhra Chettiar on 30.12.1987, the petitioner's father inherited those properties as a legal heir and he was in exclusive possession and enjoyment of those properties during his lifetime and he died on 13.06.1992, leaving behind his wife and four children (namely three sons and one daughter) as his legal heirs and after his demise, his legal heirs were jointly enjoying the entire properties owned by him. By taking advantage of the situation that the petitioner is residing at Chennai, her mother and her brothers had alienated all the properties and she came to know the above said facts only in the month of February, 2009. Hence, the petitioner filed a suit in O.S.No.9 of 2009 seeking for partition of 1/6th share in the scheduled properties therein and the said suit is pending at the state of pre-trial. Thereafter, based on the circular No.67 issued by the first respondent, the petitioner preferred a detailed complaint on 11.03.2015. Based on the same, the second respondent vide proceedings dated 16.04.2015, directed the petitioner to appear before him on 11.05.2015 at 2.00 p.m. Accordingly, the petitioner appeared before the second respondent on 11.05.2015 and submitted all the relevant documents. But, thereafter, there was no action. Hence, once again the petitioner made a complaint on 30.07.2015. Even thereafter, the respondents did not take any steps on the complaint given by the petitioner. Hence, the petitioner has come forward with the present Writ Petition for the above stated relief.

5. Considering the submissions made by the learned counsel for the petitioner, without going into the merits of the averments made in the Writ Petition, this Court directs the second respondent to consider the complaint preferred by the petitioner, dated 11.03.2015 and dispose of the same, on merits and in accordance with law, by affording an opportunity of hearing to all the necessary parties, within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the claim made by the petitioner and it is for the second respondent to consider the same purely on merits.

With the above direction, the Writ Petition is disposed of.
No Costs.

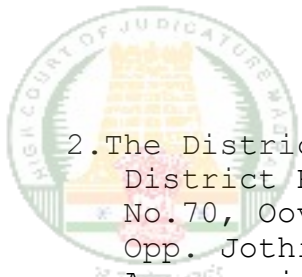
Sd/
Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar

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To

1.The Inspector General of Registration,
No.28, Santhome,
Pattinampakkam High Road,
Chennai - 600 028.



2.The District Registrar,
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No.70, Oovaiar Street,
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Aranmanai,
Ramanathapuram - 623 501.

3.The Sub-Registrar,
Sub-Registrar Office Rameswaram of
Ramanathapuram District (Admn.,),
Ramanathapuram,
Ramanathapuram District.

1cc TO MR. P.M. VISHNUVARATHAN, ADV SR: 56887
1CC TO THE SPL GP SR: 56683

SH:JGB:09.10.2015 3 P/6C

W.P (MD) .No.17204 of 2015
23.09.2015