



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.10.2015

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P(MD)No.19262 of 2015

WEB COPY

I.Kezhson

..Petitioner

Vs

The District Registrar,
District Registrar Office,
Kanyakumari District,
Nagercoil.

..Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a WRIT OF MANDAMUS directing the respondent to initiate action on the basis of the petitioner's representation, dated 23.09.2015 and render a decision within a time frame fixed by this Court.

For Petitioner :Mr.Puhazh Gandhi

For Respondent :Mr.K.Mahesh Raja

Government Advocate

ORDER

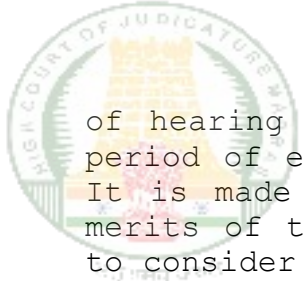
The Writ Petition has been filed praying for a Writ of Mandamus directing the respondent to initiate action on the basis of the petitioner's representation, dated 23.09.2015 and render a decision within a stipulated time.

2. Mr.K.Mahesh Raja, learned Government Advocate takes notice for the respondent.

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

4. In the affidavit it has been averred that the petitioner is the absolute owner of the property measuring to an extent of 13 ares in S.No.409/2 and 13 ares in S.No.409/3 at Arumanallur Village, Thovalai Taluk, Kanniyakumari District. The petitioner had purchased the said property from one Mr.Asokan in his capacity as power agent vide document No.623, dated 14.03.2012 on the file of the Sub-Registrar, Boothapandy. Thereafter, on verification, the petitioner came to know that the very same property was wrongfully sold by one Francis Jerome to one Jeyaraj vide document No.734, dated 10.05.2015 over which the said Francis Jerome does not have any right. Hence, the petitioner has made a representation before the respondent on 23.09.2015 under Circular No.67 to annul the fraudulent document No.734, dated 10.05.2015. Since the same was not considered so far, the petitioner has come forward with the present Writ Petition for the above stated relief.

5. Considering the submission made by the learned counsel for the petitioner, without going into the merits of the averments made in the representation of the petitioner, dated 23.09.2015 and pass appropriate orders, on merits and in accordance with law, by affording an opportunity



of hearing to the petitioner and all other 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 respondent to consider the same purely on merits.

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

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To
The District Registrar,
District Registrar Office,
Kanyakumari District,
Nagercoil.

+1CC to the Special Government Pleader, in SR.No.62750

W.P (MD) No.19262 of 2015
27.10.2015

pm
PBK/AAL-MPA 04/11/2015 ::2P-3C::