

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:01.06.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.17467 of 2016

Mrs.N.Prema

..Petitioner

Vs.

- 1.The Inspector General of Registration,
100, Santhome High Road,
Pattina pakkam, Chennai-600 028.
 - 2.The District Inspector General of Registration,
Veppamara Street, Velapadi, Vellore-632 001.
 - 3.The District Registrar,
District Registrar Office,
Veppamara Street, Velapadi,
Vellore-632 001.
 - 4.The Sub-Registrar,
Jt 1 District Registrar Officer,
Veppamara Street, Velapadi, Vellore-632 001.
 - 5.The Sub-Registrar,
Sakkarakuppam, Jolarpet, Tirupattur Taluk,
Vellore District-635 851.
- ..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent to consider the petitioner's appeal dated 22.09.2015 after granting the petitioner an opportunity of personal hearing within a reasonable period.

For Petitioner : Mr.V.Raghupathy

For Respondents : Mr.S.Pattabiraman,
Government Advocate

O R D E R

By consent, this writ petition is taken up for final disposal.

2. The petitioner would state that his father was the original owner of land admeasuring 1 Acre and 91 cents situated in S.No.43 in Yelagiri Hills and out of the said land, one acre was sold by way of two registered Sale Deeds dated 21.08.1996 (Doc.Nos.1045 and 1046 of 1996) SRO, Jolarpettai and remaining 91 cents was peacefully enjoyed by his father. The petitioner would further state that his father died on 16.10.1999 leaving behind his wife, petitioner herein and three other children and they claim to have in joint possession and enjoyment of the same. The petitioner would further state that he verified the Encumbrance Certificates for the S.No.43 and noted some discrepancies and measurement was done with the help of surveyor and it disclosed that two sale deeds each pertaining to 42.5 cents in the same S.No.43 have been executed by two persons, namely Sasikalabai and S.Sivagnanam registered as Doc.Nos.1315 and 1316 of 1994. The petitioner, in this regard, has submitted a representation to the fourth respondent to verify as to the wrong registration of the sale deeds and enquiry was ordered and the third respondent has rejected the said representation, vide proceedings dated 09.09.2015 and challenging the said order, the petitioner filed an appeal dated 22.09.2015 to the first respondent and since no orders has been passed, came forward to file this writ petition.

3. Heard the submissions of the learned counsel appearing for the petitioner and Mr.S.Pattabiraman, learned Government Advocate, who accepts notice for the respondents.

4. This Court, taking into consideration the limited scope of prayer sought for by the petitioner and without going into the merits of the same, directs the first respondent to consider and dispose of the petitioner's appeal dated 22.09.2015, after putting on notice the parties to the sale deeds in Doc.Nos.1315 and 1316 of 1994, registered in the Office of the SRO, Vellore and pass orders on merits and in accordance with law within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as the persons concerned.

5. This Writ Petition is disposed of accordingly. No costs.

jvm

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The Inspector General of Registration,
100, Santhome High Road,
Pattina pakkam, Chennai-600 028.
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 - 5.The Sub-Registrar,
Sakkarakuppam,
Jolarpet, Tirupattur Taluk,
Vellore District-635 851.
- + 1 cc to Mr.V.Raghupathy, Advocate S.R.No.29153
- + 1 cc to the Government Pleader, S.R.No.29245
- KR/10/6/16

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