

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.06.2016

CORAM

THE HON'BLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.17600 of 2016

G.Dillibai

... Petitioner

Vs.

1. The Inspector General of Registration
No.100, Santhome High Road,
Santhome, Chennai - 600 028.
2. The District Registrar (Chennai North)
Office of the District Registrar
(Chennai North)
No.1, Murthygal Lane,
Chennai- 600 001.
3. A.Chinthamani
4. C.Jayalakshmi
5. S.Sornam

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking for a Writ of Mandamus directing the second respondent to consider the representation of the petitioner, dated 22.08.2015, and to dispose of the same in the light of the circular issued by the first respondent, vide No.67, dated 03.11.2011 (C.No.52338/C1/2011) within a time frame.

For Petitioner : Mr.A.Palaniappan

For Respondents 1 & 2 : Mr.S.Govindasamy
Special Government Pleader

O R D E R

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

2. The petitioner would state that, her adoptive mother had purchased a land, comprised in Old Survey No.80/1, New Survey No.74/2, admeasuring to an extent of 1.95 cents, in Chendrambakkam Village, then Saidapet Taluk, now Thiruvottriyur Taluk, Trivellore District, by means of a registration, registered as Document No.2403 of 1958, in the office of the Joint Sub Registrar, Sembiam, dated 02.04.1958, ever since, she

is in possession and enjoyment of the same, and during her lifetime, certain portions of land were acquired by the Government by initiation of proceedings under the provisions of Land Acquisition Act, 1894, and she was also paid with compensation. It is further submitted by the petitioner that, in respect of remaining portion of land, she continue to remain in possession till her lifetime, and after her demise, her adoptive father was in possession, and after his lifetime, she is in possession and enjoyment of the property in pursuant to the Will executed by him in her favour as well as in favour of her daughters.

3. The grievance expressed by the petitioner is that, i) A.Chinthamani, wife of late Adhikesavalu, ii) C.Jayalakshmi, wife of K.Chakrapani had fraudulently created a release deed in favour of one S.Sornam, vide Document No.11600 of 2012, registered in the Office of the Sub Registrar, Redhills, and in this regard, the petitioner has given a representation, dated 22.08.2015, to the second respondent, praying for appropriate action in terms of OC Circular No.67, dated 03.11.2011, (C.No.52338/C1/2011) issued by the first respondent. Since no orders have been passed, the petitioner has come forward to file this Writ Petition.

4. Heard Mr.A.Palaniappan, the learned counsel appearing for the petitioner and Mr.S.Govindasamy, the learned Special Government Pleader, who accepts notice on behalf of respondents.

5. This Court, taking into consideration, the limited scope of the prayer sought for, by the petitioner, without entering into the merits of the case expressed by her, either in the representation, or in this Writ Petition, directs the second respondent to consider and dispose of the petitioner's representation dated 22.08.2015 on merits and in accordance with law, after putting on notice to the petitioner and respondents 3 to 5 and pass orders within a period of 10 weeks from the date of receipt of a copy of this order, and communicate the decision taken to the petitioner as well as respondents 3 to 5.

6. The Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

sd

To

1. The Inspector General of Registration
No.100, Santhome High Road,
Santhome, Chennai - 600 028.
2. The District Registrar (Chennai North)
Office of the District Registrar (Chennai North)
No.1, Murthygal Lane,
Chennai- 600 001.

+1cc to Mr.A. Palaniappan, Advocate, S.R.No.29401
+1cc to the Government Pleader, S.R.No.29237

NR(CO)
EU(21/06/2016)

W.P.No.17600 of 2016



WEB COPY