

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos. 29881 and 29882 of 2015
and
M.P. No. 1 of 2015

R.P. Murugan Petitioner in both WPs
Vs.

1.The Inspector General of Registration
Santhome High Road, Chennai- 600 028.

2.The Sub Registrar,
Velachery, Chennai - 600 042.

3. The Sub Inspector of Police,
Central Crime Branch,
Team XVII - A,
Vepery, Chennai - 7.

.... Respondents in both WPs

PRAYER IN BOTH Writ Petitions : These Writ petitions have been filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified Mandamus, calling for the entire records of the 2nd respondent relating to his letters under 33/2015 dated 08.09.2015, in relation to the petitioner's unregistered pending document Nos.33 & 34 of 2015 pertaining to sale deeds and Power of Attorney dated 02.03.2015 and 9.4.2015 relating to property bearing S.No.136/29 in paimash No.361 in plot No.11 & 12, No.154 2nd Main Road, L.I.C Nagar, Madipakkam Village, Sholinganallur Taluk, Kancheepuram District, to quash the same and consequently direct the 2nd respondent to register and return the petitioner's document No.33 & 34 of 2015.

For Petitioner : Mr.D. Jagadeesan
For Respondents : Mr.C. Pattabiram, GA

ORDER

The petitioner has come up with the present writ petition for a Certiorarified Mandamus, to call for the entire records of the 2nd respondent relating to his letters under

33/2015 dated 08.09.2015, in relation to the petitioner's unregistered pending document Nos.33 & 34 of 2015 pertaining to sale deeds dated 02.03.2015 and 9.4.2015 relating to property bearing S.No.136/29 in paimash No.361 in plot No.11 & 12, No.154 2nd Main Road, L.I.C Nagar, Madipakkam Village, Sholinganallur Taluk, Kancheepuram District, to quash the same and consequently direct the 2nd respondent to register and return the petitioner's document No.33 & 34 of 2015.

2. It is the case of the petitioner that the property in S.No.136/29 in paimash No.361 in plot No.11 & 12, No.154 2nd Main Road, L.I.C Nagar, Madipakkam Village, Sholinganallur Taluk, Kancheepuram District, belongs to one Kasturi and out of 14430 sq.ft., he purchased 4820 sq.ft., through two sale deeds dated 02.03.2015 and 09.04.2015 respectively. He would further state that though he paid the requisite fees to the respondents for registration, it has been kept as pending documents No.33/2015 and 34/2015 and the petitioner in his regard submitted a representation dated 22.06.2015 praying for registration of the said documents and return the same and since he has not been favoured with any kind of response, the petitioner filed W.P. No.21882/2015. The Writ Petition was ordered on 22.07.2015, directing the respondents to consider the representation of the petitioner, within four week from the date of receipt of the said order.

3. Accordingly, the respondent stating few reasons, in his letter No.33/2015 dated 8.9.2015, have not released the documents. Therefore, the petitioner has filed the present petition for the above stated relief.

4. Heard Mr. D. Jagadeesan, learned counsel for the petitioner and Mr. S. Pattabiraman, learned Government Advocate, who took notice for the respondents.

5. Considering the facts and circumstances of the case, this Court permits the petitioner to submit a fresh representation along with a copy of this order to the second respondent within a period of two weeks from the date of receipt of a copy of this order. On filing of such representation, the second respondent is directed to consider the same, by affording an opportunity of personal hearing to the petitioner and pass appropriate orders within eight weeks thereafter. It is made clear that this Court is not expressing any opinion with regard to the merits of the claim made by the petitioner and it is for the second respondent to pass appropriate orders purely on merits and in accordance with law.

6. The writ petitions are disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.
avr

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Inspector General of Registration,
Santhome High Road, Chennai- 600 028.

2.The Sub Registrar, Velachery,
Chennai - 600 042.

3. The Sub Inspector of Police,
Central Crime Branch, Team XVII - A,
Vepery, Chennai - 7.

+ 1 cc to The Govt.Pleader, Sr 13208

+ 2 ccs to Mr.D.Jagadeesan, Advocate Sr 13324, 13325

KR/15/3/16

W.P.Nos.29881 and 29882 of 2015
and
M.P. No.1 of 2015

सत्यमेव जयते

WEB COPY