

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2016

CORAM

THE HON'BLE MR.JUSTICE R.MAHADEVAN

Writ Petition No.2053 of 2016

G.Rajendran

... Petitioner

Vs.

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

2. The District Registrar,
Cuddalore District.

3. The Sub Registrar,
Kammapuram,
Virudhachalam Taluk,
Cuddalore District.

... Respondents

Prayer:- Writ petition has been filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the second respondent to conduct enquiry on the petitioner's representation, dated 18.04.2015, and pass appropriate orders within the stipulated time, as fixed by this Court.

For Petitioner : Mr.T.Sundaravadanam

For Respondents : Mr.V.Subbiah
Special Government Pleader

सत्यमेव जयते

O R D E R

The prayer in the Writ Petition is for issuance of Writ of Mandamus, directing the second respondent to conduct an enquiry based on the petitioner's representation, dated 18.04.2015, and to pass appropriate orders within the time, that may be stipulated by this Court.

2. The petitioner is working as a Foreman in Neyveli Lignite Corporation. One Mr.Rahamattullah Rowther borrowed a sum of Rs.90,000/- from the petitioner, and towards discharge of the said amount, he executed a mortgage deed in favour of the

petitioner, in respect of the property, comprised in S.No.162/5, situate at Kammapuram. Since the said Rahamattulah Rowther died, without repaying the amount, the petitioner approached his legal heirs, viz., his wife and two sons, named i) Ibrahim Rowther and ii) Razaq Rowther. But the two sons, instead of settling the amount, which their father owed to the petitioner, lodged a false complaint against the petitioner, and they also, with the aid of certain police officials, obtained a discharge certificate in their favour, by registering a document, dated 26.03.2015, bearing No.400 of 2015, on the file of the Sub Registrar Office, Kammapuram. Regarding the said criminal act, the petitioner lodged a complaint, pursuant to which, an enquiry is being conducted by the Deputy Superintendent of Police, Virudhachalam. Now, the grievance of the petitioner is that, seeking cancellation of the document, dated 26.03.2015, which the petitioner executed due to the threat exerted by the police officials, he made a representation, dated 18.04.2015, to the second respondent. Since the said representation is still pending consideration, the petitioner is before this Court with this Writ Petition.

3. The learned counsel appearing for the petitioner submits that, it would be suffice, if the petitioner's representation, dated 18.04.2015, is considered by the second respondent on merits and necessary orders be passed within the stipulated time, as directed by this Court.

4. In response to the above submission, the learned Special Government Pleader appearing for respondents submitted that the petitioner's representation would be considered on merits within a reasonable time.

5. In the light of the above, there will be a direction to the second respondent to consider the petitioner's representation, dated 18.04.2015, and, after affording due opportunity to the petitioner, pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. The writ petition is disposed of in the above terms. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

sd/rsb

Sub Assistant Registrar

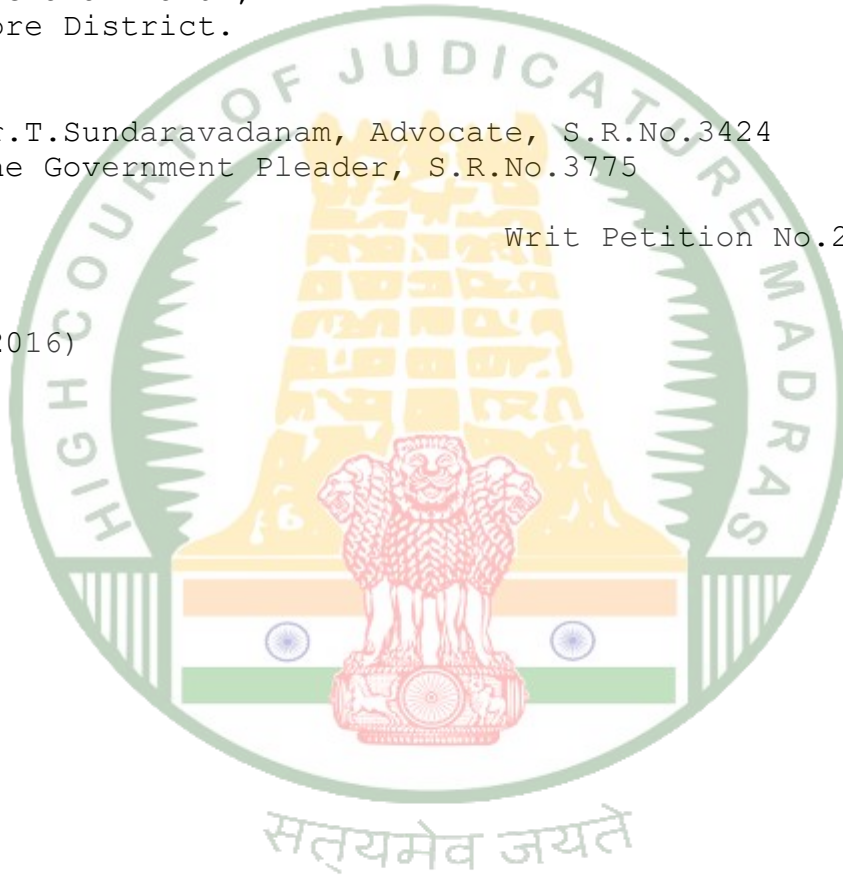
To

1. The Inspector General of Registration,
Santhome, Chennai - 600 028.
2. The District Registrar,
Cuddalore District.
3. The Sub Registrar,
Kammapuram,
Virudhachalam Taluk,
Cuddalore District.

+1cc to Mr.T.Sundaravadanam, Advocate, S.R.No.3424
+1cc to the Government Pleader, S.R.No.3775

Writ Petition No.2053 of 2016

CTK(CO)
CA(26/02/2016)



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