

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.21700/2016

1.Sharad Jalan
2.Shilpa Jalan

Petitioners

Versus

1.The Inspector General of Registration
1st Floor, [U Section]
Santhome High Road, Chennai 600 028.

2.The District Registrar,
Chennai North,
Rajaji Salai, Chennai 600 001.

3.Muniragava Reddy
4.R.Sudarsham

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the 2nd respondent to conduct an effective enquiry upon the petitioners' representation dated 06.04.2015 in PR.No.015252 within a stipulated period.

For Petitioners : Mr.S.Vijaya Ganesh
For Respondents : Mr.V.S.Ramesh, GA

ORDER

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

2 The petitioners claim that the 1st petitioner purchased the land, admeasuring to an extent of 98 cents in S.No.73/2 part and 73/3 part and New S.Nos.73/2B, 73/3B as per patta No.3469 dated 15.05.2012 situated at Old Erumaivetti Palayam village and also purchased the adjacent land admeasuring to an extent of 97 cents in S.Nos.73/2 and 73/3 and New.S.Nos.73/2A and 73/3A as per patta No.3468 dated 15.05.2012 situated in the very same village and the 2nd petitioner herein had purchased another adjacent land admeasuring to an extent of 66 cents in S.No.73/1 vide patta No.3470 dated 15.05.2012 situated in the very same

village under three separate Sale Deeds vide Document Nos.5358/2012, 5357/2012 and 5359/2012 dated 16.04.2012, registered on the file of Sub Registrar, Redhills, from Mahendran and 11 others and are in possession and enjoyment of the same. The petitioners had applied for Encumbrance before the Office of the Sub Registrar, Arani, to their shock and surprise, they came to know that there are other entries, reflecting in the encumbrance in the form of sale of 2 acres and 30 cents by one Muniragava Reddy in S.No.73 at Old Erumaivettipalayam Village in favour of one R.Sudharsan, the 4th respondent herein vide Document No.4282/1998 dated 23.10.1988 on the file of the Sub Registrar, Redhills ; another entry in the form of Rectification Deed vide Document No.5112/1998 dated 20.11.1998, registered on the file of the very same Sub Registrar and the 3rd respondent sold the very same property again to the 4th respondent vide Document No.168/2000. According to the petitioners, the 3rd respondent has no title, whatsoever, to execute the Sale Deed as well as the Rectification Deed. In this regard, the petitioners had submitted a representation dated 06.04.2015 to the 2nd respondent and though it was acknowledged on 15.05.2015 by the 1st respondent, so far it has not been given disposal and therefore, the petitioners are constrained to approach this Court by filing the present writ petition.

3 Heard the learned counsel for the petitioners and Mr.V.S.Ramesh, learned Government Advocate who accepts notice on behalf of the respondents.

4 This Court, considering the limited scope of prayer sought for by the petitioners and without going into the merits of the same, directs the 2nd respondent to consider and dispose of the

petitioners' representation dated 06.04.2015 on merits and in accordance with law, after putting on notice the respondents 3 and 4 and pass orders 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 to the respondents 3 and 4.

5 The writ petition is disposed of with the above direction. No costs.
AP

s/d-

Assistant Registrar(CS-V)

True Copy

Sub-Assistant Registrar

To

1.The Inspector General of Registration
1st Floor, [U Section]
Santhome High Road, Chennai 600 028.

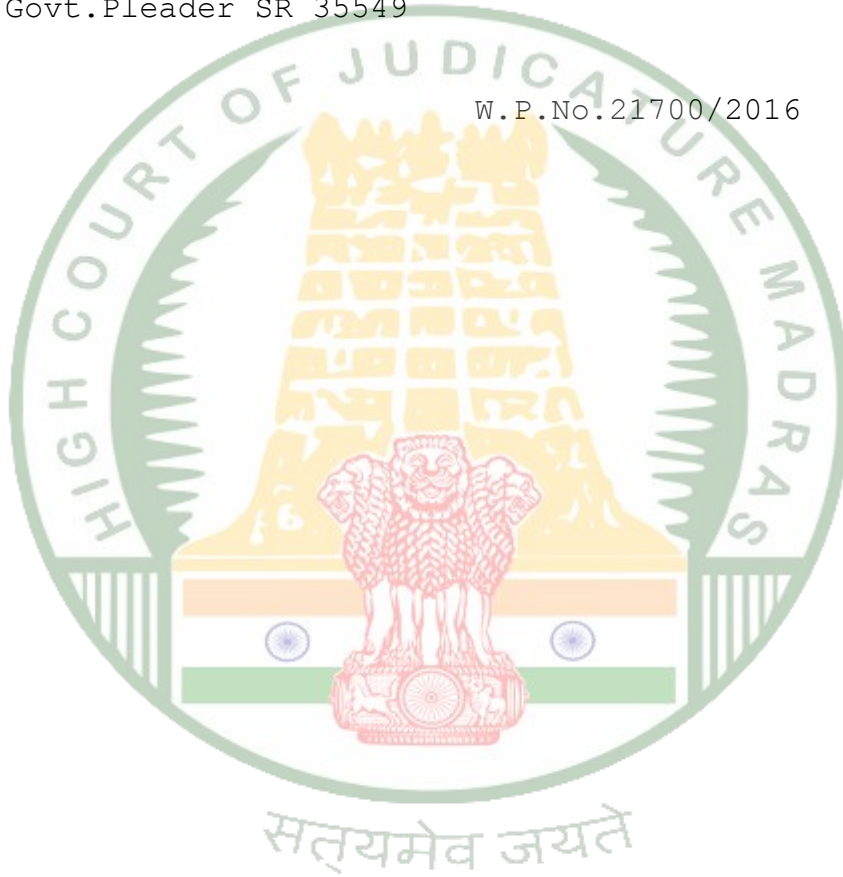
2.The District Registrar,
Chennai North,
Rajaji Salai, Chennai 600 001.

+ 1 cc to Mr.S.Vijaya Ganesh, Advocate SR 35695

+ 1 cc to Govt.Pleader SR 35549

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