

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.06.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.22382 of 2016

D.S.James Nayakam

... Petitioner

Vs.

- 1 The District Registrar
(Controlling Authority)
Under the Registration Act 1908
Saidapet, Chennai-600 015.
- 2 St.Joseph Charity Trust
Rep. by its Secretary Mr.Naga Kesari
No.6 Abirami Street
Teachers' Guild Colony
Villivakkam, Chennai-600 049.
- 3 St.Joseph's Matriculation School
Rep.by its Secretary Mr.Nagar Kesari
No.8 First Street, Teachers Guild Colony
Villivakkam, Chennai-600 049.
- 4 The Sub Registrar
Konnur-Villivakkam
Chennai-600 049.

(Respondents 2 to 4 added as
Proforma Parties)

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to consider and pass orders on the petition dated 06.04.2016 submitted by the petitioner under Sec 68(2) of the Registration Act 1908 (Sent to the 1st respondent by letter dated 20.05.2016) within such reasonable time as may be stipulated by this Honourable Court.

For Petitioner : Mr.C.V.Subramanian
For Respondents : Mr.R.Vijayakumar for R1 and R4
Additional Government Pleader

O R D E R

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

2.The petitioner claims to be the agreement holder coupled with the alleged interest credited through an irrevocable Power of Attorney in respect of the land admeasuring to an extent of 1 acres 56 cents of lands in old Survey No.193/2A (now 193/4), 4400 sq.ft. in Survey No.193/2B and 5300 sq.ft. in Survey No.181/4 and 0.10 cents in Survey No.193/3 of Konnur village, had submitted a representation/ petition dated 06.04.2016 under Section 68(2) of the Registration Act, 1908, to the first respondent praying for appropriate action relating to certain encumbrances concerning the properties bearing Survey No.193/2A (now 193/4) situate in No.71, Konnur Village, Chennai Corporation Zone IV, Division No.62 within the Sub Registration District of Konnur and Registration District of North Madras and since no response is forthcoming, came forward to file this writ petition.

3.Heard the submissions of Mr.C.V.Subramanian, learned counsel appearing for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader, who accepts notice on behalf of the respondents 1 and 4.

4.Though the petitioner prayed for a larger relief, this Court in the light of the above facts and circumstances and without going into merits of the claim projected by the petitioner, either in this writ petition or in the petition submitted before the first respondent, directs the first respondent to consider and dispose of the petition dated 06.04.2016, in accordance with law, after putting on notice the respondents 2 and 3 and pass orders, within a period of three months 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 2 and 3.

5.The writ petition is disposed of accordingly. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1 The District Registrar
(Controlling Authority)
Under the Registration Act 1908
Saidapet, Chennai-600 015.

2 The Sub Registrar
Konnur-Villivakkam
Chennai-600 049.

+1 cc to M/s.C.V.Subramanian Advocate sr.36409
+1 cc ot Government Pleader sr.36603

W.P.No.22382 of 2016

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