

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.08.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.30217/2016

E.Jagadeesan

..

Petitioner

Vs.

The Sub Registrar [Joint II]
Registration Office, Krishnagiri.

..

Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus to direct the respondent to consider and pass orders on the representation of the petitioner dated 22.07.2016 requesting to cancel all the documents registered between 28.03.2007 to 19.02.2014 as mentioned in his representation in view of the Sale Deed registered in Document No.879/2016 dated 08.03.2016 executed in favour of the petitioner by the Principal Sub Judge, Krishnagiri.

For Petitioner : Mr.S.Doraisamy

For Respondent : Mr.V.S.Ramesh, GA

ORDER

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

2 The petitioner had filed OS.No.158/2007 on the file of the Court of the Principal Sub Judge, Krishnagiri, against one Valsa William Keri and seven others praying for specific performance and for other reliefs and after contest, it was decreed on 01.10.2010. The defendants 7 and 8, aggrieved by the same, filed AS.No.8/2011 on the file of the Court of the Principal District Judge, Krishnagiri and it was also dismissed on 27.06.2012 and according to the petitioner, no further challenge has been made to the judgment and decree passed by the Appellate Court and it has become final.

3 The learned counsel for the petitioner would submit that though the petitioner made attempts to register the said judgments and decrees passed by the Appellate Court as well as by the Lower Appellate Court, it has not been doen so far and therefore, the petitioner is constrained to approach this Court.

4 Per contra, Mr.V.S.Ramesh, learned Government Advocate, who accepts notice on behalf of the respondent would submit that the petitioner in his representation, has made a request to the respondent to cancel the earlier document based

on the said judgment and decree and therefore, the prayer of the petitioner in this regard is wholly unsustainable.

5 However, this Court, in the light of the submissions made by the learned counsel appearing for the petitioner and without going into the merits of the claim projected by the petitioner, permits the petitioner to submit one more representation to the respondent for registration of the above said judgments and decrees within a period of three weeks from the date of receipt of a copy of this order and the respondent, on receipt of the same, shall entertain the said documents, if the papers are otherwise in order and give a disposal in accordance with law within a further period of six weeks thereafter and communicate the decision taken, to the petitioner.

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

Sd/-

Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

To

1.The Sub Registrar [Joint II]
Registration Office, Krishnagiri.

2.The Principal Sub Judge,
Krishnagiri.

+1 cc to M/s.S.Doraisamy,advocate,sr.49426

+1 cc to Govt.Pleader,sr.49835.

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WP.No.30217/2016

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