

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2016

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P. No. 44115 of 2016

Mr.Y.Balan

.. Petitioner

Vs.

- 1 The Inspector General of Registration
Santhome High Road,
Chennai 600 028.
- 2 The District Registrar of Registration
No.1 Murthygel Lane
Chennai 600 001.
- 3 The District Registrar
Shop No.9, Jennis Road,
Anna Nagar, Saidapet,
Chennai 600 015.
- 4 The Sub Registrar
SRO, Red Hills
Chennai 600 052.
- 5 G.Vijaya
- 6 M.Lakshmi
- 7 K.Malliga
- 8 Sundari
- 9 Mohan
- 10 Gopal
- 11 Vijaya
- 12 Baskar
- 13 Krishnan
- 14 L.Srinivasan
- 15 L.Babu
- 16 V.Mahalakshmi
- 17 S.Malliga

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the official respondents 1 to 4 cancel the release

deed dated 8.9.2010 under Doc. No.6960/ 2010 on the file of SRO, Red Hills through petitioner's representation dated 18.10.2016.

For Petitioner : Mr.S.P.Sudalaiyandi
for Mr.I.Nishar

For RR 1 to 4 : Mr. R.Rajeswaran
Special Government Pleader

O R D E R

Heard Mr.S.P.Sudalaiyandi, learned counsel for Mr.I.Nishar, learned counsel appearing for the petitioner and Mr.R.Rajeswaran, learned Special Government Pleader appearing on behalf of the respondents 1 to 4.

2. By consent, the writ petition itself is taken up for final hearing, in view of the limited prayer.

3. The petitioner has come up with the present writ petition praying to direct the 3rd respondent to consider the representation of the petitioner dated 18.10.2016 submitted to the respondents 1 to 4 to cancel the release deed dated 08.09.2010 under Doc. No.6960/2010 on the file of SRO, Red Hills.

4. Learned counsel for the petitioner submitted that the predecessors in title of the property were enjoying the subject matter of the property. On 10.06.2013 the petitioner purchased the property from the original owner and subsequently the concerned Tahsildar issued patta, chitta and adangal in favour of the petitioner. While so, it is found in the encumbrance certificate that there is a release deed was executed by the respondents 5 to 7 and 14 to 17 in favour of one Radha. The learned counsel for the petitioner would submit that after the demise of the said Radha, her legal heirs claimed the title even though the release deed was executed by mistakenly. The said representation is still pending, therefore the petitioner has come forward with the present Writ Petition.

5. Learned Special Government Pleader submitted that if the said representation dated 18.10.2016 made by the petitioner is in order, the same would be considered by the respondents, in accordance with law.

6. Considering the facts and circumstances of the case, without expressing any opinion on merits, the second respondent is directed to consider the representation of the petitioner dated 18.10.2016, if it is otherwise in order, in accordance with law, by giving a reasonable opportunity to the parties concerned and pass appropriate orders as expeditiously as possible, not later than four months from the date of receipt of a copy of this order.

7. The Writ Petition is disposed of, on the above terms. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

/TRUE COPY/

Sub-Assistant Registrar

To

- 1 The Inspector General of Registration
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Chennai 600 028.
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+1 CC to Mr. I.Nishar, Advocate vide SR 75919
+1 CC to Govt. pleader, vide SR 76293.

W.P. No. 44115 of 2016

gj

sp/9/1



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