

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.5888 of 2016
and WMP.No.5245 of 2016

K.Srinivasa

.. Petitioner

Vs.

1.The District Collector
Saram, Union Territory Puducherry
Puducherry.

2.The District Registrar
Registration Department
Saram, Puducherry.

3.The Sub Registrar
Saram Puducherry.

4. Sridharan

5. T.Kalaimaran

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus to direct the 1st and 2nd respondent to conduct an enquiry and dispose the petitioner's representation dated 25.01.2016.

For Petitioner : Mr.D.Senthil Kumar

For respondents: Mr.A.Tamilvanan, GA(Pondy) .

1 to 3

O R D E R

With the consent of both sides, the Writ Petition is taken up for final disposal.

2.The petitioner has come up with the present writ petition for issuance of writ of mandamus to direct the 1st and 2nd respondent to conduct an enquiry and dispose the petitioner's representation dated 25.01.2016.

3.The petitioner's paternal grandfather/Seenuvasa Udaiyar was owning the property bearing Old Door No.17, New Door No.19, Thambu Naicker Street, Puducherry comprised in T.S.No.231 and

Resurvey No.239 to an extent of 11886sq.ft. After the death of Seenuvasa Udaiyar, the petitioner's grandmother w/o.late Seenuvasa Udaiyar and their children [Selvanathan@Audiappatham](#) and [Kuber@Krishnappan](#)/petitioner's father entered into a partition deed dated 31.03.1999 registered in Doc.No.2480/1999. The petitioner is the only son, the petitioner's father paying all the statutory charges pertaining to the property to the authorities.

4.On 17.12.2015 the 5th respondent came to the property along with few unidentified persons claiming that he is the general power of attorney agent of the 4th respondent vide Document No.3033/2015 dated 04.11.2015. The main allegation of the petitioner is that the respondents 4 and 5 has created forged power of attorney, legal heir certificate and trying to grab the property. The petitioner sent a representation dated 25.01.2016 to the respondents 1 to 3 to cancel the fabricated power of attorney dated 04.11.2015. But till date the respondents 1 to 3 has not considered the representation, hence the petitioner filed the present writ petition.

5.Heard the submissions of learned counsel appearing for the petitioner and the learned Government Advocate (Pondy) who accepts notice on behalf of the respondents 1 to 3.

6.Considering the facts and circumstances, this Court directs the second respondent to consider the representation of the petitioner dated 25.01.2016 and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order, after affording opportunity of personal hearing to the petitioner as well as to the respondents 4 and 5 and necessary parties, if any. It is made clear that this Court has not expressed any opinion on merits of the claim of the petitioner.

7.The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar(CS-I)

True Copy

Sub-Assistant Registrar

To

1. The District Collector,
Saram, Urban Territory Puducherry
Puducherry.

2.The District Registrar
Registration Department
Saram, Puducherry.

3.The Sub Registrar
Saram Puducherry.

+ 2 cc to Mr.D.SenthilkumarAdvocate, SR 10831

+ 1 cc to Government Pleader, High Court, Madras SR 10414

kk(co)
prk4/3

W.P.No.5888 of 2016.



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