

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22/2/2016

C O R A M

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.6358 of 2016

Mrs.M.Shyamala ... Petitioner

Vs

1. The Inspector General of Registration
Santhome
Chennai 600 028.
2. The District Registrar
Office of the District Registrar
Krishnagiri. ... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the second respondent to consider and pass orders on the petitioner's representation dated 25/11/2015 in the light of Circular No.67 dated 3/11/2011 in C.No.52338/C1/2011 issued by the first respondent.

For Petitioner ... Mr.C.Jeremiah

For respondents ... Mr.M.Dig Vijayapandian
Additional Government Pleader

O R D E R

With the consent of the learned counsel appearing on either side, this writ petition is taken up for final disposal, at the admission stage itself.

2. Heard Mr.C.Jeremiah, learned counsel for the petitioner and Mr.M.Dig Vijayapandian, learned Additional Government Pleader for the respondents.

3. This writ petition has been filed, praying to direct the second respondent to consider and pass orders on the petitioner's representation dated 25/11/2015 in the light of Circular No.67 dated 3/11/2011 in C.No.52338/C1/2011 issued by the first respondent.

4. The facts which are relevant, for the disposal of this writ petition, are as follows:-

Mr.Ravindra Reddy, was the erstwhile owner of a land, to an extent of 2.25 acres, comprised in S.No.24, bearing Patta No.24, in Anumepalli Village, situated near Zuzuvadi Village. Out of 2.25 acres of land, the said Ravindra Reddy had sold 1.50 acres to the third parties, as follows:-

(i). An extent of 0.50 cents of land out of 2.25 acres to one M.C.James by virtue of Registered Deed of sale dated 6/3/1989 bearing Document No.3209 of 1989 on the file of SRO, Hosur.

(ii). An extent of 0.50 cents of land out of 2.25 acres to one Jacob Koshy Panicker by virtue of Registered Deed of sale dated 6/3/1989 bearing Document No.3210 of 1989 on the file of SRO, Hosur.

(iii). An extent of 0.50 cents of land out of 2.25 acres to one Helen Koshy Panicker, wife of Mr.Jacob Koshy Panicker, by virtue of Registered Deed of sale dated 6/3/1989 bearing Document No.3209 of 1989 on the file of SRO, Hosur.

5. The said Ravindra Reddy had sold the remaining extent of 0.75 cents of land, comprised in R.S.No.24 in Anumepalli Village, near Zuzuvadi Village, situated in Dharmapuri District, to the petitioner's deceased husband D.Moorthy, by virtue of registered deed of sale dated 6/3/1991, bearing Document No.1013 of 1991, on the file of SRO, Hosur.

6. After Ravindra Reddy having sold the entire extent of land owned by him had fraudulently and illegally by impersonating his name as V.S.Ravi executed a gift settlement in favour of his daughter R.Sindhu, bearing Doc.No.1101 of 2011, dated 31/1/2011, on the file of SRO, Hosur, in respect of the property, which is already sold to the petitioner's deceased husband for sale consideration.

7. Hence the petitioner had submitted a representation to the second respondent dated 25/11/2015, stating the aforesaid facts. After conducting enquiry, the second respondent, came to a conclusion that Ravindra Reddy @ V.S.Ravi had executed a fraudulent gift deed in favour of his daughter. Since the second respondent has not passed any order, the petitioner has come forward with the present writ petition, praying for the relief as stated therein.

8. Without going into the merits of the claim of the petitioner, the second respondent is hereby directed, to consider the representation of the petitioner, dated 25/11/2015, and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of

receipt of a copy of this order by affording opportunity of personal hearing to the petitioner as well as to the said Ravindra Reddy alias V.S.Ravi.

It is made clear that this Court has not expressed any opinion with regard to the merits of the claim of the petition.

9. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

mvs.

To

1. The Inspector General of Registration
Santhome
Chennai 600 028.
2. The District Registrar
Office of the District Registrar
Krishnagiri.

+1cc to Mr.G. Jeremiah, Advocate, S.R.No.10743
+1cc to the Government Pleader, S.R.No.11029

RSY(CO)
EU(15/03/2016)

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