

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2017

CORAM

The Honourable MR. JUSTICE M.DURAI SWAMY

W.P.No.9022 of 2017 &

W.M.P.No.9939 of 2017

D.Sakku Bai

...Petitioner

v.

1 The District Registrar
North Chennai, Chennai -1

2 The Sub Registrar
Thiruvottitur, Chennai 600 019

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Certiorari to call for the records of the respondents in his proceedings in No.2129/A1/2016, dated 30.3.2017 passed by the 1st respondent and quash the same and consequently direct the respondents to register the settlement deed in P.No.212/2015, dated 28.12.2015 and presented for registration on 28.12.2015 and return the original document of settlement deed after due registration to the petitioner.

For Petitioner : Mr.K.Ramu

For Respondents : Mr.A.N.Thambidurai
Spl. Govt. Pleader

ORDER

The petitioner has filed the above writ petition to issue a Writ of Certiorari to call for the records of the respondents in his proceedings dated 30.3.2017 passed by the 1st respondent and to quash the same and consequently direct the respondents to register the settlement deed in P.No.212/2015, dated 28.12.2015, which was presented for registration on 28.12.2015 and return the original document of settlement deed after due registration to the petitioner

2. Mr.K.Ramu, learned counsel appearing for the petitioner submitted that the impugned order dated 30.03.2017 was passed without affording an opportunity of hearing to the petitioner. Hence, the learned counsel submitted that an opportunity may be given to the petitioner to put forth his case and the respondents may be directed to pass fresh orders, in accordance with law, within a time frame.

3. Mr.A.N.Thambidurai, learned Special Government Pleader, taking notice for the respondents submitted that the petitioner may be directed to submit his reply within a week's time and the 1st respondent

may be directed to consider the same and pass orders, in accordance with law.

4. Having regard to the submissions made by the learned counsel on either side, the impugned order dated 30.03.2017 passed by the 1st respondent is set aside and the matter is remitted back to the 1st respondent for fresh consideration. The petitioner is directed to submit his reply within one week, from the date of receipt of a copy of this order and the 1st respondent, after considering the reply submitted by the petitioner, shall pass orders afresh, on merits and in accordance with law, within a period of four weeks thereafter.

With these observations, the writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

13.04.2017

Index: Yes/No

Rj

To

- 1 The District Registrar
North Chennai, Chennai -1
- 2 The Sub Registrar
Thiruvottitur, Chennai 600 019

M.DURAISWAMY,J.

Rj

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