

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2017

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.No.5461 of 2017

P.Boominathan

... Petitioner

Vs

1.The District Registrar,
South Chennai,
O/o District Registration Office,
Chennai - 15.

2.V.Jagathprasad

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to consider and pass orders on the completed inquiry to which written representation came to be made on 30.12.2016 as per law and on merits and within a time to be stipulated by this Court.

For Petitioner : Mr.L.Chandrakumar

For Respondents : Ms.K.Bhuvaneswari,
Government Advocate for R1.

O R D E R

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

2. The petitioner would state that he is the absolute owner of the properties in S.Nos.49, 60/1 & 60/2, situate at Peerkankaranai Village, Tambaram Taluk, Kancheepuram District by way of registered sale deeds in Doc.Nos.1670 and 2714 of 1996 dated 12.06.1996 and Doc.Nos.1699 and 1698 of 2016, registered on the file of the Sub Registrar, Tambaram. Thereafter, the petitioner applied for building plan approval and he was sanctioned building plan in P.P.No.49/2016 dated 30.03.2016/A1, P.P.No.67/2016 dated 29.04.2016 and P.P.No.68/2016/A1 dated 02.05.2016. The petitioner would further state that the second respondent herein sought to disturb his possession and therefore, the petitioner has filed a suit in O.S.No.235 of 2016 on the file of the Court of District Munsif, Tambaram praying

for permanent injunction and other consequential relief and the same is pending. He would further state that in the meantime, the second respondent has given a complaint to the first respondent alleging that the the sale deed issued in favour of the petitioner was unlawful and that the same came to be made at the instance of wrong doers with illegal motives and for certain personal gain. On receipt of the complaint, the first respondent in his proceedings dated 30.11.2016, called upon the petitioner and directed to produce the relevant document to prove his defence. On receipt of such notice, the petitioner was appeared before the first respondent and submitted all the original documents as well as the xerox copies of the said documents. However, till date no orders have been passed by the first respondent. In this regard, he has also submitted a representation on 01.02.2017 to the first respondent. However, the same has not been considered so far. Hence, the petitioner has filed this writ petition.

3. Heard the submission of Ms.K.Bhuvaneswari, learned Government Advocate, who accepts notice on behalf of the respondents.

4. Considering the facts and circumstances of this case, this Court directs the first respondent to consider and dispose of the petitioner's representation dated 01.02.2017 and pass orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this orders.

This writ petition is disposed of accordingly. No costs.

-s/d-

Assistant Registrar(CS II)

True Copy

Sub-Assistant Registrar

To

The District Registrar,
South Chennai,
O/o District Registration Office,
Chennai - 15.

+1cc to Mr.L.Chandra Kumar, Advocate SR.No.14680
+1cc to Government Pleader SR.No.14737

W.P.No.5461 of 2017

SS(CO)
GN(03/04/2017)