

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 25.10.2017

CORAM

THE HON'BLE Mr.JUSTICE A.SELVAM
and
THE HON'BLE Mr.JUSTICE P.KALAIYARASAN

W.P.No.34322 of 2015

V.Banumathi [Petitioner]

Vs

- 1 The Inspector General of Registration
Santhome High Road Chennai 28
- 2 The District Registrar
Chennai-North Rajaji Salai Chennai
- 3 The Sub Registrar
Sub Registrar Office Red Hills
- 4 The Sub Registrar
Sub Registrar Office Ponneri
- 5 S.Arumugam Chettiar
- 6 A.Rani Ammal
- 7 Lakshmi Narayanan
- 8 T.A.R.Saravanan

[Respondents]

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the 2nd respondent to act upon the petitioner's representation dated 26.08.2015 for conducting enquiry in consonance with Circular No.67 dated 03.11.2011 (C.No.52338C1/2011) issued by the 1st respondent and cancel the two Settlement Deeds both dated 23.01.2015 bearing Doc.Nos.2595 of 2015 & 2596 of 2015 Ponneri SRO, executed by 5th and 6th respondent in favour of the 7th and 8th respondents in so far as the petitioners land being Nanja Land measuring 4 Acres and 43 Cents being comprised in S.No.50/15(2 Acre and 89 Cents), 51/14 (25 Cents), 60/1 (66 Cents), 72/07 (30 Cents), 51/4 (33 Cents) Padiyanallur Village, Ponneri Taluk, Tiruvallur District, covered in Patta No.620, within a time to be stipulated by this Court.

For Petitioner : Mr.R.Sundarakamesh

For Respondents : Mr.R.Vijayakumar, AGP (R1-4)

For Respondents : 5 to 8 No appearance

O R D E R

[Order of the Court was made by A.SELVAM, J.]

This Writ Petition has been filed under Article 226 of the Constitution of India praying to direct the 2nd respondent to act upon the representation of the petitioner dated 26.08.2015 for conducting enquiry on the basis of the Circular No.67 dated 03.11.2011 in respect of the documents mentioned therein, by way of issuing a writ of mandamus.

2. Learned counsel appearing for the petitioner has advanced his arguments on the basis of the averments made in the petition.

3. Learned Additional Government Pleader appearing for respondents 1 to 4 has submitted a copy of Circular dated 20.10.2017, wherein, it has been specifically mentioned that Circular No.67 dated 03.11.2011 has been withdrawn by the Government of Tamil Nadu.

4. The relief sought in the writ petition is to conduct a detailed enquiry on the basis of Circular No.67 dated 03.11.2011 in respect of the documents mentioned therein.

5. Considering the fact that Circular No.67 dated 03.11.2011 has already been withdrawn subsequently on 20.10.2017 and also considering the fact that the 2nd respondent, the District Registrar, who is having ample power to look into the representation dated 26.08.2015, this Court is inclined to pass the following order.

6. In fine, the writ petition is allowed in part without costs. The 2nd respondent is directed to look into the representation dated 26.08.2015 alleged to have been given by the petitioner and dispose of the same, after giving proper opportunity to the persons concerned.

-sd/-

Assistant Registrar

/ TRUE COPY /

Sub-Assistant Registrar

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To

1 The Inspector General of Registration
Santhome High Road Chennai 28

2 The District Registrar
Chennai-North Rajaji Salai Chennai

3 The Sub Registrar
Sub Registrar Office Red Hills

4 The Sub Registrar
Sub Registrar Office Ponneri

+2 cc to MR.RALPH V.MANO HAR Advocate SR.NO. 76207

W.P.No.34322 of 2015

sv-I[co]
RD 17/11/2017



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