

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.3148 of 2016

P.Duraisamy

[Petitioner]

Vs

1 The District Registrar
O/o.District Registrar
1/3 Vignesh Complex
60 Feet Road Tirupur-641 602

2 The Sub-Registrar
O/o.Registrar Office
8 Taluk Office Campus
Kangayam (Post) Tiruppur District

3 The Inspector of Police
Anti Land Grabbing Wing Tiruppur

4 R.S.Senthamaraikannan

[Respondents]

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the 1st respondent to pass appropriate orders on the representation of the petitioner dated 26.12.2015 requesting to cancel the sale deed executed in Document No.1830 of 2006 dated 25.07.2006 in favour of the 4th respondent registered by the office of the 2nd respondent in the light of the Circular of the Inspector General of Registration in circular No.67 dated 03.11.2011.

For Petitioner : Mr.M.P.Rajavelayutham

For Respondents: Mr.R.Vijayakumar, AGP (R1-3)
No appearance (R4)

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 1st respondent to conduct enquiry on the basis of the representation dated 26.12.2015 alleged to have been given by the petitioner in

respect of a sale deed executed in favour of the 4th respondent, by way of issuing a writ of mandamus.

2. Learned counsel appearing for the petitioner has contended to the effect that the property mentioned in the sale deed in question is the absolute property of the petitioner and the 4th respondent has purchased the same from certain persons who are not having any saleable interest. Under such circumstances, the representation dated 26.12.2015 was given to the 1st respondent, but, the 1st respondent has not taken any action. Under the said circumstances, in view of Circular No.67 dated 03.11.2011, this writ petition has been filed.

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a copy of Circular dated 20.10.2017, wherein, it has been clearly stated that Circular No.67 dated 03.11.2011 has been withdrawn by the Government of Tamil Nadu.

4. The main grievance expressed on the side of the petitioner is that the petitioner has given a representation on 26.12.2015 to the 1st respondent, but, the 1st respondent has not at all considered the same.

5. Considering the grievance expressed on the side of the petitioner and also considering the fact that the representation dated 26.12.2015 has been given by the petitioner to the 1st respondent, this Court is inclined to pass the following order.

6. In fine, the writ petition is allowed in part without costs. The 1st respondent is directed to look into the representation dated 26.12.2015 alleged to have been given by the petitioner and dispose of the same, as early as possible.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

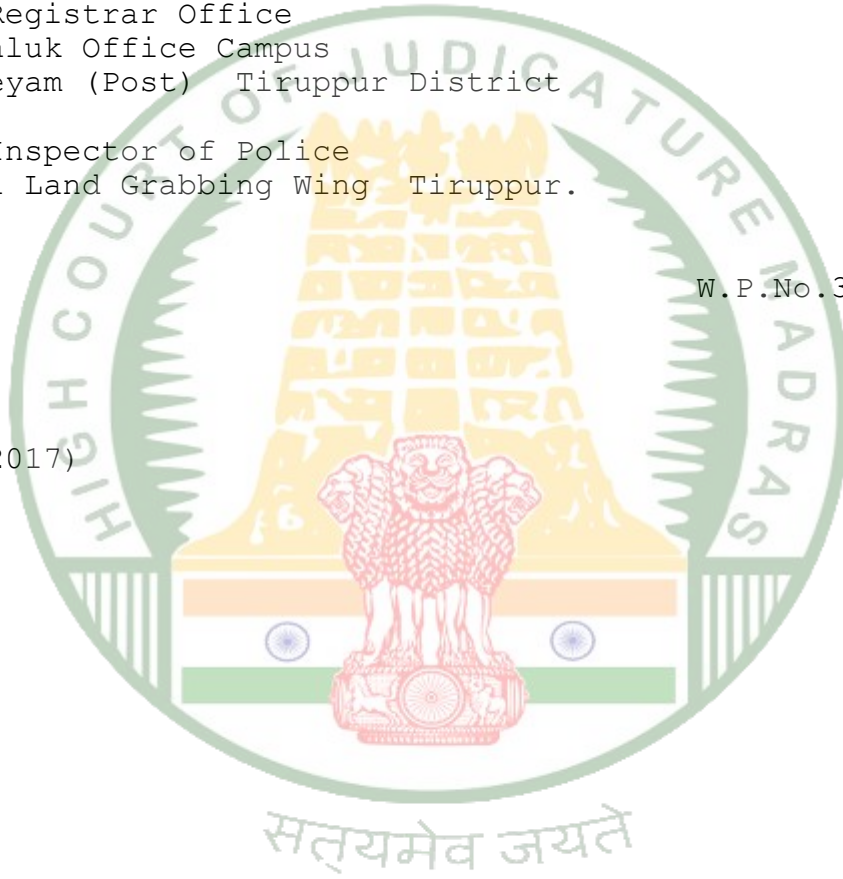
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To

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KK (CO)
EU (05/12/2017)



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