

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.33476 of 2016

Ellamma [Petitioner]

Vs

- 1 Inspector General of Registration
100 Santhome High Road
Chennai-28.
- 2 Additional Inspector General of Registration
Salem.
- 3 The District Registrar
Krishnagiri.
- 4 The Sub Registrar
Kelamangalam.
- 5 Mr.R.Sampangi Ramaiyah [Respondents]

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the 3rd respondent to consider the petitioners representation dated 05.07.2016 and pass orders in accordance with law and also in view of the circular No.67 dated 03.11.2011 in C.No.52338/C1/2011 for cancellation of fraudulent Partition Deed dated 03.10.2011 registered as Doc.No.6139 of 2011 at S.R.O. Kelamangalam within the time to be stipulated by this Court.

For Petitioner : Mr.R.Bharath Kumar

For Respondents : Mr.R.Vijayakumar, AGP (R1-4)
Mr.P.Mani (R5)

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 3rd respondent to look into the representation dated 05.07.2016, in view of the circular No.67 dated 03.11.2011 for cancellation of fraudulent Partition Deed dated 03.10.2011, 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20.10.2017, wherein, it has been specifically mentioned to the effect that Circular No.67 dated 03.11.2011 has been withdrawn by the Government of Tamil Nadu.

4. On the side of the petitioner, it has been specifically mentioned that on 05.07.2016 a representation has been given to the 3rd respondent, wherein specifically prayed to cancel the alleged fraudulent partition deed dated 03.10.2011.

5. Even though Circular No.67 dated 03.11.2011 has already been withdrawn, this Court is inclined to pass the following order.

6. In fine, the writ petition is allowed in part without costs. The 3rd respondent is directed to look into the representation dated 05.07.2016 alleged to have been given by the petitioner and dispose of the same, as early as possible, after giving proper opportunity to the 5th respondent R.Sampangi Ramaiyah.

-sd/-

Assistant Registrar

/ TRUE COPY /

Sub-Assistant Registrar

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To

1 Inspector General of Registration
100 Santhome High Road, Chennai-28.

2 Additional Inspector General of Registration, Salem.

3 The District Registrar, Krishnagiri.

4 The Sub Registrar, Kelamangalam.

+1 cc to MR.R.BHARATH KUMAR Advocate SR.NO. 75976

+1 cc to MR.P.MANI Advocate SR.NO. 75356

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sv[co]

RD 17/11/2017



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