



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.(MD)No.13028 of 2017

and

W.M.P(MD)No.10095 of 2017

T.Seenivasan

... Petitioner

Vs.

1.The District Registrar,
District Registrar Office,
Virudhunagar,
Virudhunagar District.

2.The Sub-Registrar,
Sub-Registrar Office,
Kariyapatti,
Virudhunagar District.

3.Vengadammal

4.Rajaselvam

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the first respondent to conduct enquiry within a specified period on petitioner's representation dated 19.04.2017.

For Petitioner : Mr.KA.Raamakrishnan

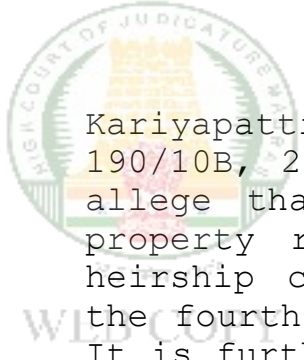
For Respondents : Mr.G.Muthukannan
Government Advocate
(for R1 and R2)

O R D E R

The prayer sought for in this writ petition is seeking for the issuance of a Writ of Mandamus directing the first respondent to conduct enquiry within a specified period on the petitioner's representation, dated 19.04.2017.

2.Mr.G.Muthukannan, learned Government Advocate takes notice for respondents 1 and 2. By consent, this Writ Petition is taken up for final disposal at the admissions stage itself.

<https://hcservices.courts.gov.in/hcservices/>
The petitioner would state that he is in joint possession of his ancestral properties situated at Melathulukkankulam village,



Kariyapatti Taluk, Virudhunagar District in S.No.1A 190/10A, 190/10B, 223/8, 279/3B5, 279/3B6, 279/3B7. The petitioner would allege that the third respondent does not have right over the property referred above. However, by obtaining a false legal heirship certificate, the third respondent sold the property to the fourth respondent by a registered sale deed dated 28.12.2015. It is further stated that the legal heirship certificate issued in favour of the third respondent was cancelled by the Revenue Divisional Officer, by an order dated 08.04.2017.

4.The learned counsel appearing for the petitioner would submit that the petitioner has sent a representation to the first respondent on 19.04.2017 to conduct an enquiry under Circular 67 dated 03.11.2011 issued by the Inspector General of Registration. Since no action has been taken, the present writ petition has been filed.

5.Considering the facts and circumstances of the case, without going into the merits of the matter, the first respondent is directed to consider the representation of the petitioner dated 19.04.2017 and pass appropriate orders on merits and in accordance with law, after providing opportunity of hearing to all necessary parties, within a period of twelve weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(AE)

/True Copy/

Sub-Assistant Registrar

To

1.The District Registrar,
District Registrar Office,
Virudhunagar, Virudhunagar District.

2.The Sub-Registrar,
Sub-Registrar Office,
Kariyapatti, Virudhunagar District.

+One cc to Mr.KA.Ramakrishnan, Advocate, SR.No.65574

skn

RL/4C/2P/KK/SAR1/7/8/2017

W.P.(MD)No.13028 of 2017

and
W.M.P(MD)No.10095 of 2017