



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.08.2017

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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P. (MD) No.14395 of 2017

K.Yasmine

... Petitioner

Vs.

1. The Inspector General of Registration,
O/o. Inspector General of Registration,
No.100, Santhome High Road,
Chennai.
2. The District Registrar,
Registration Department,
Trichy District, Trichy.
3. The Sub Registrar,
Office No.3, Joint Sub Registration Office,
Town Hall Road,
Trichy.

4.L.Kunna

5.S.Selvi

6.Shanmugam

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to dispose petitioner's application dated 15.05.2017 seeking Cancellation of Rectification Deed as Document No.1067/2017, dated 25.04.2017 in favour of the fifth respondent and consequential Settlement Deed as Document No.1128/2017, dated 02.05.2017 in favour of the sixth respondent registered in the office of the third respondent in respect of the petitioner's house plot Nos. 5 and 6 measuring an extent of 3600 square feet comprised in Survy No.200/2A1, situated at Gandhiji Street, Rail Nagar, Ariyamangalam Village, Trichy as per Circular No.67 (C.No.52238/C1/2011) dated 03.11.2011 giving opportunity to the concerned party concerned within the time stipulated.



For Petitioner : Mr.J.Lawrance

For R1 to R3 : Mr.A.Muthukaruppan
Additional Government Pleader

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ORDER

The petitioner seeks for a direction to the second respondent to dispose of her application dated 15.05.2017.

2.Mr.A.Muthukaruppan, learned Additional Government Pleader takes notice for the respondents 1 to 3. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3.The case of the petitioner is that the house plot measuring to an extent of 3600 square feet comprised in S.No.200/2A1, situated at Gandhiji Street, Rail Nagar, Ariyamangalam Village, Trichy District, originally belonged to one Muthiah Asari. After his demise, on 15.07.1995 his only son Vallavalingam inherited the property.

4.Mr.J.Lawrance, learned counsel for the petitioner would state that on 22.09.1996, the said Vallavalingam died leaving behind his wife, namely, Annapoorani and eight children as his legal heirs. Thereafter, on 14.07.2017 the petitioner purchased the said vacant site by a registered sale deed registered as Document No.1835/2006. While so, the fourth respondent, who has no right over the property, has executed a registered sale deed in favour of the fifth respondent on 24.10.2016 in respect of the property in S.No.238/1. However, subsequently, with a collusion of the third respondent, a rectification deed was executed on 25.04.2017 in respect of the property of the petitioner in S.No.200/2A1. Therefore, the petitioner gave a representation on 15.05.2017 to the second respondent to cancel the said rectification deed. Since no action was taken, the present writ petition.

5.Mr.Muthukaruppan, learned Additional Government Pleader appearing for the respondents 1 to 3 would submit that pursuant to the representation of the petitioner, the second respondent has already initiated proceedings and issued notice to the petitioner for her appearance.

6.In the light of the above facts, this Court, without going into the merits of the matter, directs the second respondent to consider the representation of the petitioner, dated 15.05.2017 and pass appropriate orders on merits and in accordance with law, and give every opportunity to all the 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 is disposed of.
No costs.

Sd/-
Assistant Registrar (CS-III)

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/True copy/

Sub Assistant Registrar

To

1. The Inspector General of Registration,
O/o. Inspector General of Registration,
No.100, Santhome High Road,
Chennai.
2. The District Registrar,
Registration Department,
Trichy District, Trichy.
3. The Sub Registrar,
Office No.3, Joint Sub Registration Office,
Town Hall Road,
Trichy.

+1 cc to Mr.J.Lawrance , Advocate in SR.No. 70039
+1 cc to The Special Government Pleader in SR.No.70239

skn
AE/KP/SAR1/07.09.2017/3P/6C

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