



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **K.KALYANASUNDARAM**

W.P. (MD) No.15936 of 2017

K.Palaniammal

... Petitioner

Vs.

1. The District Collector,
Ariyalur Registration District,
Ariyalur.

2. The Sub-Registrar,
Uppiliyapuram,
Thuraiyur Taluk,
Trichy District.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 2nd respondent to consider the representation of the petitioner dated 28.07.2017 for expunction of the encumbrance marked by him in the records as on 12.12.2012 relating to Survey No.100/1,101/1, 100/2 at Vairichettipalayam in Thuraiyur Taluk, Trichy District.

For Petitioner : Mr.V.Singan

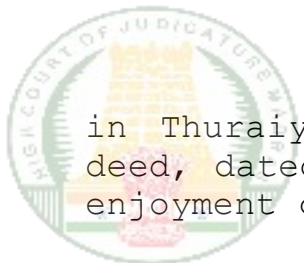
For Respondents : Mr.C.Selvaraj,
Special Government Pleader.

O R D E R

This Writ Petition is filed seeking for issuance of a Writ of Mandamus directing the 2nd respondent to consider the representation of the petitioner dated 28.07.2017 for expunction of the encumbrance marked by him in the records as on 12.12.2012 relating to Survey No.100/1,101/1, 100/2 at Vairichettipalayam in Thuraiyur Taluk, Trichy District.

2.Mr.C.Selvaraj, learned Special Government Pleader takes notice for the respondents. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. The petitioner would state that she purchased the property in Survey No.100/1, 100/2 and 101/1 at Vairichettipalayam village



in Thuraiyur Taluk, Trichy District through a registered sale deed, dated 15.05.2014. Since then she has been in possession and enjoyment of the same.

4.The petitioner would further state that the second respondent has registered the decree passed by the District Munsif, Thuraiyur in O.S.No.127 of 1998 dated 31.01.1990.

5.The case of the petitioner is that the property of the petitioner was not attached by the District Munsif in O.S.No.127 of 1998. Further the decree passed in the suit have been fully satisfied. But still there is encumbrance has been noted over the property of the petitioner. Hence, the petitioner gave a representation to the 2nd respondent on 28.07.2017 for expunction of the encumbrance marked on the property. Since it was not considered, the present Writ Petition.

6.Considering the limited scope of prayer sought for in this Writ Petition, this Court, without going into the merits of the case, directs the second respondent to consider the representation of the petitioner dated 28.07.2017 and pass appropriate orders on merits and accordance in with law, after providing opportunity to all necessary parties, within a period of twelve weeks from the date of receipt of copy of this order.

7.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Ariyalur Registration District,
Ariyalur.
2. The Sub-Registrar,
Uppiliyapuram,
Thuraiyur Taluk,Trichy District.

+1cc to Mr.V.Singan, Advocate in SR.No.74796

+1cc to The Special Government Pleader in SR.No.74797

dss/skn

AE/SV MMS/SAR1/13.09.2017/2P/5C