



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2017

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. (MD) No. 16191 of 2017

WEB COPY

M.Sikkander

... Petitioner

Vs.

1.The Inspector General of Registration,
Registration Department,
Chennai.

2.The District Registrar,
Virudhunagar District,
Virudhunagar.

3.The Sub Registrar,
Office of the Sub Registrar,
Aruppukkottai,
Virudhunagar District.

4.Ambigapathy

5.Mrs.Leelavathi

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, to issue a writ of Mandamus, direct the 2nd respondent to enquire the D.No.2295 of 2010 dated 13.04.2010, registered in the 3rd respondent's office and consequently endorse the report of the same in the registry of the said office based on the petitioner's representation dated 09.07.2016, in the light of the Circular No.67 dated 03.11.2011 issued by the 1st respondent.

For Petitioner : Mr.T.Selvan

For Respondents : Mr.A.Muthukaruppan

Additional Government Pleader

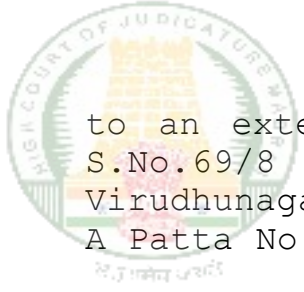
(For R1 to R3)

O R D E R

The petitioner seeks for a Mandamus directing the 2nd respondent to enquire the D.No.2295 of 2010 dated 13.04.2010, registered in the 3rd respondent's office and consequently endorse the report of the same in the registry of the said office based on the petitioner's representation dated 09.07.2016, in the light of the Circular No.67 dated 03.11.2011 issued by the 1st respondent..

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

3. The petitioner would claim that he has purchased the lands



to an extent of 2 acre 15 cents and 90 cents in S.No.69/7 and S.No.69/8 situated at Kovilankulam Village, Aruppukkottai Taluk, Virudhunagar District, vide registered sale deed dated 20.07.2006. A Patta No.1495 was also issued in his favour.

4. The petitioner would allege that the 5th respondent, who does not have any right over the property, earlier mortgaged the same to one L.Udhayakumar. After the complaint given by the petitioner, the mortgage was cancelled. Thereafter, the 5th respondent has now again mortgaged the property to the 4th respondent. Hence, the petitioner submitted the representation, dated 09.07.2016. Since no action was taken, the present writ petition.

5. Considering the limited scope of the 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 09.07.2016 and pass appropriate orders on merits and in accordance with law, after providing opportunity to all the necessary parties, within a period of four months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

1. The Inspector General of Registration,
Registration Department,
Chennai.

2. The District Registrar,
Virudhunagar District,
Virudhunagar.

3. The Sub Registrar,
Office of the Sub Registrar,
Aruppukkottai,
Virudhunagar District.

+1cc to Mr. T. SELVAN, Advocate, SR.75439

+1cc to M/S. Special Government Pleader, SR.75339

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