



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P. (MD) No.16415 of 2017

S.Maheswaran

...Petitioner

-Vs-

1.The Inspector General of Registration,
Santhome High Road, Chennai.

2.The District Collector,
Ramanathapuram District,
Ramanathapuram.

3.The District Registrar,
Registration Department,
Ramanathapuram District.

4.The Sub Registrar,
Region No -1,
Ramanathapuram,
Ramanathapuram District.

5.Murugesan,

6.Theivanayagam

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the 3rd respondent to conduct an enquiry as contemplated under circular No. 67 dated 03.11.2011 issued by the 1st respondent to declare the sale deed in Doc.Num. 336/1995 dated 20.07.1995 executed by the 5th respondent in favour of the 6th respondent as null and void and direct the 4th respondent not to register any documents in so far as the property comprised in Patta No. 436 in S.No. 280/5, admeasuring of 2.50 acres situated at peruvayal village Ramanathapuram Region No.-1, Sub Registration District, until the completion of enquiry in view of the circular No.67 dated 03.11.2011.

For Petitioner : Ms.A.Loganayaki

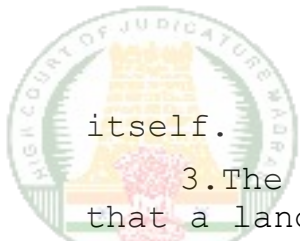
For Respondents 1to4 : Mr.C.Selvaraj

Special Government Pleader

ORDER

The prayer sought for in this writ petition is to direct the third respondent to conduct enquiry as contemplated under circular 67 dated 3.11.2011 issued by the first respondent based on his representation.

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



itself.

3.The learned counsel appearing for the petitioner would state that a land to an extent of 2.50 acres situated at Peuvayal village, Ramanathapuram was assigned in Survey No.280/5 in favour of the petitioner's father Mr.Sethuraman on 13.05.1963 in recognition of his service in the Indian Army. Since then he was in possession of the property. The entire revenue records were changed in his name.

4.The petitioner would further submit that after his father's death on 20.10.1980 his legal heirs are enjoying the property. While so, one Murugesan who has no right over his property sold the same in favour of one Theivanayagam on 20.07.1995. Hence, the petitioner gave a representation to the respondents in person on 07.10.2015 to cancel the sale deed. Since no action was taken, the present writ petition has been filed.

5.Mr.C.Selvaraj, learned Special Government Pleader would submit that there is no proof for having submitted the representation to the third respondent and if a fresh representation is given, they would consider and pass orders.

6.In the light of the facts and the submission of the learned Special Government Pleader, the petitioner is directed to give a fresh representation to the third respondent by enclosing a copy of this order within a period two weeks from the date of receipt of a copy of this order. On such compliance the third respondent is directed to pass orders on merits and in accordance with law, after providing opportunity to the necessary parties, within a period of twelve weeks there from.

7.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,
Santhome High Road, Chennai.
 - 2.The District Collector,
Ramanathapuram District,Ramanathapuram.
 - 3.The District Registrar,
Registration Department, Ramanathapuram District.
 - 4.The Sub Registrar,
Region No -1,
Ramanathapuram,Ramanathapuram District.
- +1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No.76108,75994
dsk

JS/KP/SAR.3/13.09.2017/2P-6C

<https://hcservices.ecourts.gov.in/hcservices/>

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