



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.09.2017

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM

W.P. (MD) No. 17246 of 2017

S. Arunachalam

... Petitioner

Vs.

1. The District Registrar,
District Registrar Office,
Tirunelveli District,
Tirunelveli.

2. The Sub Registrar,
Sub Registrar's Office,
Sankarankovil,
Tirunelveli District.

... 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 consider the petitioner's representation dated 18.08.2017 and the same conduct the enquiry to take necessary action based on the Circular No. 67 dated 03.11.2011 issued by Inspector General of Registration and the same to cancel the fraudulently Settlement Deed mentioned in the petitioner's representation dated 18.08.2017 within a stipulated time as may be fixed by this Court.

For Petitioner : Mr. V. Muthukamatchi
For Respondents : Mr. A. Muthukaruppan
Additional Government Pleader

O R D E R

The prayer in this writ petition is for issuance of a writ of Mandamus directing the first respondent to consider the representation of the petitioner dated 18.08.2017 as per circular 67 dated 03.11.2011 issued by the Inspector General of Registration.

2. Mr. Mr. A. Muthukaruppan, learned Additional 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 he purchased 624 square feet in S.No.803/5 situated at Kalappakulam Panchayat, Elavankulam village, Sankarankovil Taluk through a registered sale deed. He had been in possession and enjoyment of the said property. On 10.07.2017, he has settled the said property in faovur of his third son, namely, Velusamy.

4. The petitioner would allege that his another son, namely, Karuppusamy has executed the settlement deed in respect of the same property in favour of his son on 27.07.2017 as if the petitioner had already passed away. Hence, the petitioner gave a representation in this regard on 18.08.2017 to take action under Circular 67. Since no action was taken, the present writ petition.

5.Considering the limited scope of the prayer sought for by the petitioner, this Court, without going into the merits of the matter, directs the first respondent to consider the representation of the dated 18.08.2017 and take appropriate action on merits and in accordance with law, after providing opportunity to all necessary parties, within a period of four months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub-Assistant Registrar

To

1.The District Registrar,
District Registrar Office,
Tirunelveli District,
Tirunelveli.

2.The Sub Registrar,
Sub Registrar's Office,
Sankarankovil, Tirunelveli District.

+One cc to M/s.V.Muthukamatchi, Advocate, SR.No.78874
+One cc to The Special Government Pleader, SR.No.78781
skn

RL/5C/2P/GT/SAR1/3/10/2017

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