



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.09.2017

CORAM

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P. (MD) No.17804 of 2017

N.Shanmugam

: Petitioner

-vs-

1.The Inspector of General of Registration,
O/o.Inspector General of Registration Office,
No.100, Pattinapakam,
Santhome High Road,
Chennai-28.

2.The District Registrar, (Admin),
O/o.The District Registration Office,
Pudukkottai Town,
Pudukkottai District.

3.The Sub Registrar,
O/o.The Sub Registrar Office,
Pudukkottai District,
Pudukkottai.

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, to direct the 2nd respondent to dispose the petitioner's application, dated 17.05.2017 in pursuant to the notice issued by the 2nd respondent, vide his proceedings Na.Ka.No.1989/54/2017-1, dated 16.05.2017 within a period that may be stipulated by this court.

For Petitioner

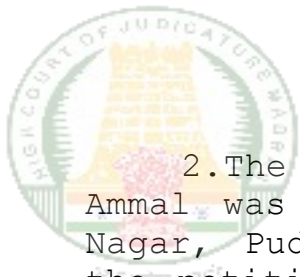
: Mr.B.Anandan

For Respondents

: Mr.C.Selvaraj
Special Government Pleader

O R D E R

The prayer sought for in this writ petition is to direct the 2nd respondent to dispose of the petitioner's application, dated 17.05.2017 in pursuant to the notice issued by the 2nd respondent, dated 16.05.2017 within a time frame.



2.The case of the petitioner is that his wife Thelungaveri Ammal was allotted 5 cents of land in T.S.No.8821 at Malayappa Nagar, Pudukkottai District and after her demise on 14.07.1996, the petitioner has been in possession and enjoyment of the said property. In the interregnum, one Subbaiah created forged document in respect of the said property and registered the same as document No.876, dated 19.06.1978. Thereafter, the said Subbaiah has executed an Inam settlement deed in favour of his wife Ponnazahgu, on 04.07.2013 by mentioning the Town Survey number as 8806 instead of 8821.

3.The further case of the petitioner is that he preferred a complaint before the 2nd respondent on 08.05.2017 for cancellation of the Inam Settlement deed in accordance with the power conferred under Circular 67. On the receipt of the same, the 2nd respondent issued a notice directing the petitioner to produce documents with regard to the tile of his wife. The petitioner submitted a representation, dated 17.05.2017 along with the documents as required by the 2nd respondent. Since, there is no response, the present writ petition.

4.Heard Mr.B.Anandan, learned counsel for the petitioner and Mr.C.Selvaraj, learned Special Government Pleader for the respondents 1 to 3 and perused the materials available on record.

5.Considering the limited scope of prayer sought in this writ petition, without going into merits of the case, this court hereby directs the 2nd respondent to dispose of the application of the petitioner, dated 17.05.2017 purely on merits and in accordance with law, after affording an opportunity of hearing to the petitioner as well as the necessary parties, if any within a period eight weeks from the date of receipt of a copy of this order.

6.The writ petition stands disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CSII)

/True Copy/

Sub-Assistant Registrar



To,

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1.The Inspector of General of Registration,
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No.100, Pattinapakam,
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O/o.The District Registration Office,
Pudukkottai Town,
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3.The Sub Registrar,
O/o.The Sub Registrar Office,
Pudukkottai District,
Pudukkottai.

+One cc to Mr.B.Anandan, Advocate, SR.No.80224

+One cc to The Special Government Pleader, SR.No.81066

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RL/6C/3P/MR/KKR/SAR1/12/10/2017

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