



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.11.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.19934 of 2017

R.Anandapadmanaban

... Petitioner

-vs-

The Sub-Registrar,
Thevaram Sub-Registrar Office,
Thevaram, Uttapalayam Taluk,
Theni District.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to release the registered Doc.No.P09/2017 dated 01.03.2017 on the file of the respondent Sub Registrar Office, Thevaram and hand over the registered document to the petitioner within a time frame fixed by this Hon'ble Court.

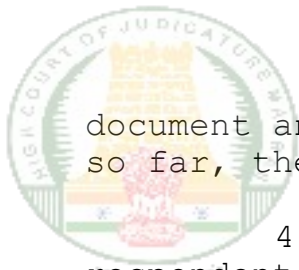
For Petitioner	: Mr.S.Sukumaran
For Respondent	: Mr.J.Gunaseelan Muthiah Govt. Advocate

O R D E R

This writ petition has been filed, seeking to direct the respondent to release the document registered in Doc.No.P09/2017 dated 01.03.2017 on the file of the respondent Sub Registrar Office, Thevaram and hand over the same to the petitioner.

2. Mr.J.Gunaseelan Muthiah, learned Government Advocate takes notice for the respondent. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. The case of the petitioner is that one Soumya wanted to execute a General Power of Attorney in favour of the petitioner in respect of her properties and both the petitioner and the said Soumya presented the same before the respondent for registration. Though the respondent has registered the Power of Attorney, the document has not been released pursuant to pendency of lis in respect of Item No.2 of the scheduled property. In this regard, the petitioner sent a representation dated 04.04.2017 followed by a reminder dated 19.08.2017 to the respondent for release of the



document and since the said representations have not been considered so far, the petitioner is before this Court with the above prayer.

4. The learned Government Advocate appearing for the respondent would submit that the particular area, related to the survey numbers is at Padappai and several writ petitions are still pending in respect of the properties, which include the area in dispute in the present writ petition.

5. Be that as it may, once a representation is received by the authorities concerned, it is their bounden duty to decide the same in one way or the other without keeping it pending endlessly. They are at the most expected to proceed in the manner known to law and inform the outcome to the concerned parties as to the exact nature of their impediment in consideration of the representation. In the present case on hand, the respondent, without doing so, has been sitting over the representations submitted by the petitioner without taking any decision thereon and the said act is highly depreciated.

6. Therefore, the respondent is directed to consider the representation of the petitioner dated 04.04.2017 followed by the reminder dated 19.08.2017 and pass necessary orders with regard to the release of document in either way on merits and in accordance with law after affording an opportunity of hearing to the petitioner, within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar

To:

The Sub-Registrar,
Thevaram Sub-Registrar Office,
Thevaram, Uttapalayam Taluk,
Theni District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 87955

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TE/JC/SAR-4 : 29/11/2017 : 2P/3C