

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 08.11.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P. (MD) No.20577 of 2017andWMP (MD) No.16866 of 2017

T.Illaya raja

... Petitioner

Vs.

1.The Sub Registrar

Office of the Valliyoor Sub-Registrar

Valliyoor, Tirunelveli District.

2.The District Registrar

Office of the District Registrar,

Palayamkottai, Tirunelveli District.

3.The Deputy Inspector General for Registration

office of the DIG for Registration,

Palayamkottai - 627 002

Tirunelveli District.

4.M.Laxmi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to cancel the fraud-Intentional -Registered Sale deed No:3890/2013 registered in the office of the first Respondent based on the representation dated 16.10.2017.

For Petitioner

: Mr.B.Char Murugan

For R.1 to R.3

: Mr.M.Alagathevan,

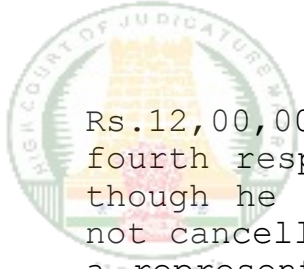
Special Government Pleader

ORDER

By consent, this Writ Petition itself is taken up for final disposal at the stage of admission itself.

2. Mr.M.Alagathevan, learned Special Government Pleader takes notice for the respondents 1 to 3. Notice to the fourth respondent is dispensed with, as no adverse order is going to be passed against her.

3. According to the petitioner, a loan agreement was entered into between him and the fourth respondent for a sum of



Rs.12,00,000/-, for which, a deed was also executed in favour of the fourth respondent. It is the specific case of the petitioner that though he repaid the entire loan amount, the fourth respondent has not cancelled the said deed. Therefore, the petitioner has submitted a representation dated 16.10.2017 before the respondents 1 to 3 to cancel the said deed. Since the said representation has not been considered so far, the petitioner is before this Court with the above prayer.

4. Considering the facts and circumstances of the case, this Court, without going into the merits of the petitioner's claim, directs the first respondent to consider the representation of the petitioner, dated 16.10.2017 and pass appropriate orders thereon, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner, fourth respondent as well as other interested parties, if any, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CRL. SIDE)

/True Copy/

Sub Assistant Registrar

To

1. The Sub Registrar

Office of the Valliyoor Sub-Registrar
Valliyoor, Tirunelveli District.

2. The District Registrar

Office of the District Registrar,
Palayamkottai, Tirunelveli District.

3. The Deputy Inspector General for Registration

office of the DIG for Registration,
Palayamkottai - 627 002
Tirunelveli District.

+1cc to Mr. B. CHAR MURUGAN Advocate in SR. No. 85841

RM

JS/MR.KKR/SAR.1/29.11.2017/2P-5C

W.P (MD) No. 20577 of 2017

08.11.2017