



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.21556 of 2017

Jeyam @ Jeyaraman
S/o.Kasi Velalar,
Melathaniam,
Ponnamaravathi Taluk,
Pudukkottai District - 622 002.

... Petitioner

Vs.

1.The Inspector General of Registration,
Office of the Inspector General of Registration,
Santhome High Road,
Chennai - 600 009.

2.The District Registrar,
Registration Department,
Karaikudi.

3.The Sub-Registrar,
Sub-Registrar Office,
Ponnamaravathi Taluk,
Pudukkottai District.

4.Manickam

5.Sahul Hameed

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents No.1 to 3 herein to take appropriate action against the Respondents No.4 and 5 to cancel the Sale deed vide document No.1896/2017 dated 26.09.2017 comprised in Survey No.398/7 situated at Melathaniam Village, Ponnamaravathi Taluk, Pudukkottai District - 622 002 on the basis of the Circular Letter No.41530/U1/2017 dated 20.10.2017 issued by the 1st respondent and based on the petitioner's representation dated 20.11.2017.

For Petitioner
For Respondents

: Mr.S.Sivakumar
: Mr.M.Alagathevan,
Special Government Pleader
for R.1 to R.3

O R D E R

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

2. Heard the learned Counsel for the petitioner and Mr.M.Alagathevan, learned Special Government Pleader, who takes notice for the respondents 1 to 3. Notice to the respondents 4 & 5 is dispensed with, as no adverse order is going to be passed and opportunity of hearing will be provided to them, by the authorities concerned.

3. According to the petitioner, his step mother, Tharumu Ammal is suffering from mental illness and using her health condition, the fourth respondent fraudulently obtained her signature and executed a Will in his favour. Thereafter, he executed a sale deed in favour of the fifth respondent, despite pendency of several suit proceedings. It is the specific case of the petitioner that though he showed his objections in the earlier rounds of litigation, these documents have been executed. Therefore, he has submitted a representation dated 20.11.2017, before the official respondents to cancel the fraudulently registered deeds and simultaneously came before this Court, apprehending that the authorities might not consider his representation.

4. On the other hand, the learned Special Government Pleader submitted that the petitioner has submitted his representation only on 20.11.2017 and the authorities would pass appropriate orders, if a reasonable time is granted to them.

5. Considering the facts and circumstances of the case, this Court, without going into the merits of the petitioner's claim, directs the respondents 1 to 3 to consider the representation of the petitioner dated 20.11.2017 and pass appropriate orders, on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioner and the respondents 4 & 5 as well as all the other interested parties, if any, within a period of eight weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar()

/True Copy/

Sub Assistant Registrar

To

1.The Inspector General of Registration,
Office of the Inspector General of Registration,
Santhome High Road,
Chennai - 600 009.



2.The District Registrar,
Registration Department,
Karaikudi.

3.The Sub-Registrar,
Sub-Registrar Office,
Ponnamaravathi Taluk,
Pudukkottai District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 89629

+1cc to Mr.S.SIVAKUMAR Advocate in SR. No. 88946

GK

JS/GT/SAR.3/14.12.2017/3P-6C

W.P (MD) No.21556 of 2017
23.11.2017