



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.21557 of 2017

WEB COPY

Hidayad Kurichi

... Petitioner

Vs.

1.The District Registrar,
Registration Department,
Tenkasi Registration District,
Tenkasi.

2.The Sub Registrar,
Sub Registrar Office,
Alankulam,
Tirunelveli District.

3.MD Nagutha Marakayar

4.M/s.P.G.M.Developers
Registered Partnership
Rep. through its Authorized
Signatory Muzafar Ahamed MD

5.Abul Hussian

... Respondents

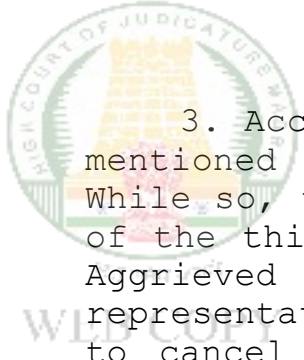
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd Respondent to initiate proper enquiry and cancel the Registered sale deed No.5303 of 2016 on his file in respect of Kurinchi Kulam Village Survey No.103/1 Extend Hect 1.42.5 and Survey No.106/1 extent 0.77.5 most particularly the item No.78 and 79 of schedule property in the above sale deed dated 22.12.2016 and take appropriate action based on the representation dated 20.02.2017 according to law.

For Petitioner	: Mr.S.Muthalraj
For Respondents	: Mr.M.Alagathevan, Special Government Pleader for R.1 & R.2

O R D E R

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

2. Mr.M.Alagathevan, learned Special Government Pleader, takes notice for the respondents 1 & 2. Notice to other respondents 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, he is the owner of the subject mentioned property and a suit was also decreed in his favour. While so, the respondents 4 & 5, jointly executed a deed in favour of the third respondent, in respect of the petitioner's property. Aggrieved over the same, the petitioner has submitted a representation dated 20.02.2017, before the official respondents to cancel the fraudulently registered deeds and as the same is kept pending, without any action, he came before this Court for the aforesaid relief.

4. The learned Special Government Pleader, on instructions, submitted that the authorities are inclined to pass orders on the representation of the petitioner, within a stipulated time limit.

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 & 2 to consider the representation of the petitioner dated 20.02.2017 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 3 to 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(Records)

/True Copy/

Sub Assistant Registrar

To

1.The District Registrar,
Registration Department,
Tenkasi Registration District, Tenkasi.

2.The Sub Registrar,
Sub Registrar Office,
Alankulam, Tirunelveli District.

+1cc to Special Government Pleader, SR.No. 89624

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