

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****Dated: 10.02.2017****Coram****THE HON'BLE MR.JUSTICE M.S.RAMESH****Writ Petition (MD)No.2246 of 2017**

Pandimeenal

... Petitioner

-Vs-

1.The District Registrar,
Karaikudi. Sivagangai District.2.The Sub Registrar II,
Karaikudi, Sivagangai District.

3.S.Thanneermalai Chettiyar

4.V.Muthusamy

5.PL.Solaiyappan

6.PL.subramanian

... Respondents

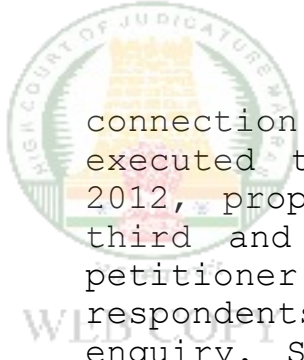
Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorari direction to the first and second respondents to conduct enquiry and inspection for the cancellation of the documents in Document No.5701/12 and 5707/2012 dated 23.07.2012 and 24.07.2012 on the file of the second respondent and for initiation of penal proceedings against the respondents 3 to 6, by considering the petitioner's representation dated 23.12.2014.

For Petitioner	: Mr.G.Prabhu Rajadurai
For R1 to R3	: Mr.T.S.Muhamed Mohideen
	Addl. Government Pleader

O R D E R

By consent of both parties, the main writ petition itself is taken up for final disposal.

2. The case of the petitioner is that the property comprised in Survey No.160/6 measuring about 2 acres which was taken over by the Government during the abolition of estates was occupied by several persons. The petitioner is one among such person, wherein, she had constructed a house and has been living there with their family. The property is also assessed to tax and the petitioner has also obtained electricity and water service



connection to her house. The fifth and sixth respondents had executed two documents in Document Nos. 5701/2012 and 5707 of 2012, proposing to sell the property in Survey No.160/6 to the third and fourth respondents. Aggrieved against the same, the petitioner has sent a representation, dated 23.12.2014, to the respondents 1 and 2 for cancelling the said documents after enquiry. Since the first and second respondents have not passed any orders on the representation till date, the present writ petition has been filed.

3. In view of the limited prayer sought for in the writ petition and without going into the merits of the claim made by the petitioner in her representation, there shall be a direction to the first respondent to consider the petitioner's representation, dated 23.12.2014, on its own merits and pass orders in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order. Such an exercise shall be made after giving due opportunity to the petitioner as well as to the respondents 3 to 6 and affording them due opportunity of hearing. It is made clear that I have not expressed any of my views with regard to the petitioner's right over the subject lands.

4. With the above observation, the writ petition stands allowed. No costs.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

akv

To

1.The District Registrar,
Karaikudi. Sivagangai District.

2.The Sub Registrar II,
Karaikudi, Sivagangai District.

+1CC to Mr.G.Prabhu Rajadurai, Advocate Sr.No.7804

+1CC to Spl.Government Pleader Sr.No.7935

GJM/SV/MMS/27.2.17-2p-5C

W.P. (MD) .No.2246 of 2017
10.02.2017