



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.12.2017

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P(MD) No.22788 of 2017

D. Nagarajan

... Petitioner

-vs-

1. The District Registrar (Administration),
Dindigul District, Dindigul.

2. The 2nd Joint Sub Registrar,
2nd Joint Sub Registrar Office,
Dindigul, Dindigul District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Mandamus to direct the 2nd respondent to make necessary entries in the petitioner's property records in view of the order passed by the 1st respondent in Na.Ka.No.4989/Aa3/2015 dated 24.05.2016 by considering the representation of the petitioner dated 18.08.2017 within the period stipulated by this Honble Court.

For Petitioner : Mr.N.Sathish Babu

For Respondents : Mr.M.Alagathevan

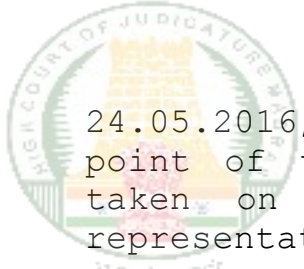
Spl. Govt. Pleader

ORDER

This writ petition has been filed, seeking a direction to the 2nd respondent to make necessary entries in the petitioner's property records in view of the order passed by the 1st respondent in Na.Ka.No.4989/Aa3/2015 dated 24.05.2016 by considering the representation of the petitioner dated 18.08.2017.

2. Mr.M.Alagathevan, learned Special Government Pleader takes notice for the respondents. By consent, the writ petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that his mother had purchased the property in question from one Chinthamaniammal vide a registered sale deed dated 01.12.1988 and subsequently, the said Chinthamaniammal started interfering with the possession and enjoyment of his mother with an intention to grab more money. Therefore, his mother filed a civil suit in O.S.No.787 of 1995, which ended in her favour and after her demise, the property devolved upon him. However, the sons of the said Chinthamaniammal created encumbrance in the property and when the petitioner made a representation dated 14.08.2015 to the 1st respondent herein to cancel the forged documents, arisen pursuant to such an encumbrance, though the 1st respondent, by proceedings dated



24.05.2016, had held the documents registered at the relevant point of time to be bogus one, thereafter, no action has been taken on the matter. Therefore, the petitioner submitted a representation dated 18.08.2017 to the 2nd respondent for making necessary entries in the petitioner's property records in view of the order passed by the 1st respondent in Na.Ka.No.4989/Aa3/2015 dated 24.05.2016. Since the said representation did not evoke any response so far, the petitioner is before this Court with the above prayer.

4. The learned Special Government Pleader appearing for the respondents would submit that if a reasonable time is granted to the second respondent, the representation of the petitioner will be considered and appropriate orders be passed.

5. Considering the facts and circumstances of the case and also taking into account the limited scope of the relief sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the second respondent to consider the representation of the petitioner dated 18.08.2017 and pass necessary orders thereon on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner and other interested parties, if any in line with the order passed by the 1st respondent in Na.Ka.No.4989/Aa3/2015 dated 24.05.2016.

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

Sd/-

Assistant Registrar(crl side)

/True Copy/

Sub Assistant Registrar

To:

1. The District Registrar (Administration),
Dindigul District, Dindigul.
2. The 2nd Joint Sub Registrar,
2nd Joint Sub Registrar Office,
Dindigul, Dindigul District.

+1cc to Mr.N.Sathish Babu, Advocate Sr.No.92665

+1cc to Spl.Government Pleader Sr.No.93156

AR

VB/GT/SAR4/04/01/2018/2P/5C