

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 21.12.2017**

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P (MD) No.23736 of 2017**

C.Saral

... Petitioner

Vs.

1. The District Registrar,
District Registrar Office,
Tenkasi,
Tirunelveli District.

2. The Sub-Registrar,
Sub-Registrar Office,
Sivagiri,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing 1st respondent to consider the petitioner's representation dated 27.11.2017 and to take appropriate action to cancel the settlement deed in No.1051 of 2015 on the file of the 2nd respondent within the time limit that may be stipulated by this Hon'ble High Court.

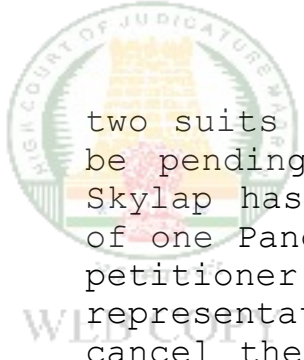
For Petitioner : Mr.M.S.Jeyakarthik
For Respondents : Mr.T.S.Mohamed Mohideen,
Additional Government Pleader

ORDER

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

2. Heard the learned Counsel for the petitioner and Mr.T.S.Mohamed Mohideen, learned Additional Government Pleader, who takes notice for the respondents.

3. According to the petitioner, the property in question belongs to herself and her brother, whereas, one Muthaiah @ Skylap, creating some forged documents, has obtained patta in his name, thereby, mutated the revenue records. In the meanwhile, according to the petitioner, the said Muthaiah @ Skylap, has filed



two suits in O.S.Nos.2 of 2013 and 103 of 2014, which are said to be pending. Pending disposal of the suits, the said Muthaiah @ Skylap has executed a settlement deed No.1051 of 2015, in favour of one Pandiselvi, in respect of the property in dispute. When the petitioner came to know about this development, she has made a representation dated 27.11.2017 before the first respondent to cancel the said settlement deed and as the same is kept pending, without any action, she is before this Court with the aforesaid prayer.

4. When the matter is taken up for hearing today, the learned counsel for the petitioner submitted that it would suffice, if the representation of the petitioner dated 27.11.2017 is disposed of, by the first respondent, as per law, within a stipulated time limit.

5. Considering the facts and circumstances of the case and also the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the first respondent to consider the representation of the petitioner dated 27.11.2017 and pass appropriate orders, on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner as well as all the other interested parties, if any, within a period of six weeks from the date of receipt of a copy of this order, keeping in mind the pendency of the aforesaid suits.

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

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar

To

1. The District Registrar,
District Registrar Office,
Tenkasi, Tirunelveli District.
2. The Sub-Registrar,
Sub-Registrar Office,
Sivagiri, Tirunelveli District.

+ 1 cc TO Mr.M.S.Jeyakarthik , Advocate in SR No. 94197
+ 1 cc TO The Special Government Pleader in SR No. 94844

gk

AE/JC/SAR1/10.01.2018/2P/5C

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21.12.2017