

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.10.2018

C O R A M
THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.29436 of 2011

Mr.S.Kannisamy

... Petitioner

Vs

1. The Inspector General of Registration,
Santhome High Road,
Mylapore,
Chennai - 600 004.
2. The Sub-Registrar,
Vilathikulam,
Thoothukudi District,
Thoothukudi - 628 907.
3. Muthalagu Respondents

[R3, impleaded as per the order of this Court,
dated 30.08.2012 in M.P.No.1 of 2012
in W.P.No.29436 of 2011]

Prayer: Petition filed under article 226 of the
Constitution of India, praying to issue a Writ of
Mandamus directing the first respondent to take suitable
administrative action against the second respondent on
the petitioner's representation cum notice dated
22.11.2011 for return of the Original Sale Deed, dated
07.10.2011, registered as Document No.2987 of 2011 in
Book-I, before the second respondent, to the petitioner,
within a time limit to be stipulated by this Court

For Petitioner : M/s.Rameshkumar Chopra

For Respondents: Mr.P.P.Purushothaman, G.A.,
for RR1 & 2

Mrs.Thenmozhi Shiva Perumal, for R3

O R D E R

Heard the learned counsel for the petitioner, the
learned Government Advocate for the respondents 1 & 2 and
the learned counsel for the third respondent and perused
the materials available on record.

2. The petitioner has come forward with this Writ Petition praying for issuance of a Writ of Mandamus, directing the first respondent to take action against the second respondent, based on his representation cum notice, dated 22.11.2011.

3. The case of the petitioner is that on 07.10.2011, he purchased 1.50 acres in Survey No.199/2 and 10 cents in Survey No.199/4A1 from one Jainullabdin and others, through a registered sale deed, registered as Document No.2987 of 2011. The petitioner would allege that the second respondent, instead of handing over the original documents to the petitioner, has released the same to the third respondent.

4. The learned Government Advocate and the learned counsel appearing for the third respondent would submit that the original documents were in fact handed over to the petitioner and thereafter, the original documents are now with the third respondent since the petitioner has availed financial assistance of Rs.10,00,000/- (Rupees ten lakhs) from him.

5. Taking note of the above submissions of the learned counsels on either side, this Court, without going into the merits of the case, directs the first respondent to take appropriate action on the representation of the petitioner dated 22.11.2011 and pass orders, purely on merits and in accordance with law, after providing an opportunity of hearing to the necessary parties, within a period of three months.

6. With the above direction, the Writ Petition is disposed of. No costs.

Sd/--

Deputy Registrar (CS)

//True Copy//

Sub Assistant Registrar

pvs
To

1. The Inspector General of Registration,
Santhome High Road,
Mylapore, Chennai - 600 004.

2. The Sub-Registrar,
Vilathikulam,
Thoothukudi District,
Thoothukudi - 628 907.

+1 CC TO GOVERNMENT PLEADER SR.NO. 68844

W.P.No.29436 of 2011

ASK(31/10/2018)