

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.11.2018

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.8580 of 2018

S.Martin

.. Petitioner

Vs.

1. The Sub Registrar
Sembium Sub Registration Office
5, Papermills Road,
Sembiam, Chennai - 600 011.

2. J.Megala
(2nd respondent is impleaded as per the
order of this Court dated 20.11.2018 in
W.M.P.No.11684 of 2018 in W.P.No.8580 of 2018)

.. Respondent

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent herein to register the decree dated 05.01.2018 passed in C.S.No.166 of 2011 on the file of the Hon'ble High Court, Madras, declared the Settlement deed registered as Doc.No.700 of 2011 in the office of the Respondent on 28.01.2011 is false, forged, invalid, illegal and void document and consequential direction to the Respondent to enter the contention of the decree at the foot of the entry in the register so as to reflect the entry in the Encumbrance Certificate.

For Petitioner : Ms.P.Bagyalakshmi

For Respondent : Mr.T.M.Pappaiah
Special Government Pleader

O R D E R

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

2. The petitioner has come up with this Writ Petition seeking a direction to the first respondent to register the decree dated 05.01.2018 passed in C.S.No.166 of 2011 on the file of this Court and consequential reliefs.

3. According to the learned counsel for the petitioner, the petitioner has submitted a representation dated 13.03.2018 claiming the relief as prayed in this Writ Petition, but, the same is yet to be disposed of by the first respondent. However, the learned counsel submitted that it would suffice, if the said representation made by the petitioner is directed to be considered by the first respondent, on merits.

4. Heard Mr.T.M.Pappaiah, learned Special Government Pleader on behalf of the first respondent.

5. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the representation, directs the respondent to consider the petitioner's representation dated 13.03.2018 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the impleaded second respondent herein, namely, J.Megala and also affording due opportunity of hearing to the petitioner, impleaded second respondent herein as well as any of the interested parties, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above directions, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

Srn/av

To

The Sub Registrar
Sembium Sub Registration Office
5, Papermills Road,
Sembiam, Chennai - 600 011.

+1 cc to The Government Pleader, SR.No.80100

W.P.No.8580 of 2018

RV(CO)
CSL/28.11.2018