

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.12.2018

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P. No.18806 of 2018

N. Padmavathi

.. Petitioner

Vs.

1.The District Registrar,
Coimbatore - 641 002.

2.The Sub Registrar,
Perianaickenpalayam,
Coimbatore - 641 020.

3.Jahir Ahmadkhan

.. Respondents

PRAYER : Writ Petitions filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 and 2 to consider the petitioner's representation dated 02.07.2018, conduct an enquiry on the facts of the case and dishonour of the cheques that were given towards sale consideration as mentioned in the sale deed dated 25.05.2018 and to cancel the sale deed that has been registered before the second respondent bearing No.7868/2018.

For Petitioner : Mr.M.Aravind Subramaniam

For RR1 & 2 : Mr.T.M.Pappiah

Special Government Pleader

WEB COPY
O R D E R

This Writ Petition has been filed seeking a direction to the respondents 1 and 2 to consider the petitioner's representation dated 02.07.2018, conduct an enquiry on the facts of the case and dishonour of the cheques that were given towards sale consideration as mentioned in the sale deed dated 25.05.2018 and to cancel the sale deed that has been registered before the second respondent bearing No.7868/2018.

2. Though the petitioner has sought for a direction to the respondents 1 and 2 to conduct an enquiry and to cancel the sale deed, the learned counsel for the petitioner submits that it would suffice, if the said representation made by the petitioner is directed to be considered by the respondents, on merits.

3. Heard Mr.M.Aravind Subramaniam, learned counsel appearing for the petitioner and Mr.T.M.Pappiah, learned Special Government Pleader appearing for the respondents 1 & 2.

4. 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 respondents 1 and 2 to conduct an enquiry and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner, third respondent and the persons interested in this regard and also affording them due opportunity of personal hearing, within a period of six weeks from the date of receipt of a copy of this order.

5. With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rsi
To

1.The District Registrar,
Coimbatore - 641 002.

2.The Sub Registrar,
Perianaickenpalayam,
Coimbatore - 641 020.

+1cc to Mr.M.Aravind Subramaniam, Advocate, S.R.No.88269

+1cc to the Government Pleader, S.R.No.88987

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SJ(CO)
GSP(11/01/2019)