

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2018

CORAM

THE HON'BLE MR. JUSTICE M.DURAISWAMY

W.P.No.1678 of 2018 &

W.M.P.No.2080 of 2018

B.A.Kodandarama Setty

... Petitioner

v.

- 1 The Sub-Registrar
Office of the Sub-Registrar
Cheyyur Post & Taluk
Kanchipuram District
Cheyyur.
 - 2 The District Registrar
Office of the District-Registrar
10, Kancheepuram Main Road
Cheyyar-604 407.
 - 3 The Inspector General of Registrations
100, Santhome High Road
Mylapore, Chennai-600 0004.
 - 4 B.A.Chandrashekara Setty
 - 5 B.C.Padmavathi
 - 6 B.C.Kishore Kumar
 - 7 B.C.Rajesh
 - 8 Vivek Farm & Restores Pvt. Ltd.
Door No.74, New Avadi Road,
Kilpauk, Chennai-600 010.
 - 9 Sirish Mehta
 - 10 VKCB Realities LLP
Rep. by its Designated Partners
N.C.Vignesh Kumar and N.C.Karthik Kumar
No.170, 2nd Floor, NSC Bose Road
Sowcarpet
Chennai-600 079.
- ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, forbearing the 1st to 3rd respondents from registering the unauthorized and unapproved layouts involving the 4th to 10th respondents or any other persons acting through them at

Mugaiyur Village, Madhuranthakam Taluk , Chengalpattu District except in accordance with due process of law and after affording the petitioner an opportunity of hearing with respect to the objections raised.

For Petitioner: Mr.Sathish Parasaran, Senior Counsel
for Mr.R.Parthasarathy

For Respondents: Mr.V.Kadhirvelu
Special Government Pleader

O R D E R

Mr.V.Kadhirvelu, learned Special Government Pleader, takes notice for the respondents 1 to 3.

2. The petitioner has filed the above writ petition to issue a Writ of Mandamus, forbearing the respondents 1 to 3 from registering the unauthorized and unapproved layouts involving the respondents 4 to 10 or any other persons acting through them at Mugaiyur Village, Madhuranthakam Taluk , Chengalpattu District except in accordance with due process of law and after affording the petitioner an opportunity of hearing with respect to the objections raised by him.

3. Mr.Sathish Parasaran, learned Senior Counsel appearing for the petitioner submitted that the petitioner has given representations dated 10.07.2017, 02.08.2017 and 09.11.2017 to the 1st respondent, however, the 1st respondent has not considered the same yet. Further, the learned Senior Counsel submitted that it would be suffice to direct the 1st respondent to consider the petitioner's representations and pass orders, in accordance with law, prior to the registration of the document sought to be presented by the 4th respondent in favour of the 10th respondent.

4. Mr.V.Kadhirvelu, learned Special Government Pleader, appearing for the respondents 1 to 3 submitted that the 1st respondent may be directed to consider the petitioner's representations and pass orders in accordance with law, after giving notice to all the interested parties.

5. In view of the limited prayer sought for by the petitioner and also taking into consideration the fact that the petitioner's representations were not considered by the 1st respondent so far, without expressing any opinion with regard to the merits of the case, I direct the 1st respondent to consider the petitioner's representations dated 10.07.2017, 02.08.2017 and 09.11.2017 and pass orders, in accordance with law, after giving notice to all the interested parties, within a period of two weeks from the date of receipt of a copy of this order.

With these observations, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Deputy Registrar (CS)

//True Copy//

Sub Assistant Registrar

Rj

To

- 1 The Sub-Registrar
Office of the Sub-Registrar
Cheyyur Post & Taluk
Kanchipuram District
Cheyyur.
 - 2 The District Registrar
Office of the District-Registrar
10, Kancheepuram Main Road
Cheyyar-604 407.
 - 3 The Inspector General of Registrations
100, Santhome High Road
Mylapore, Chennai-600 0004.
- + 1 cc to Mr. R. Parthasarathy, Advocate SR.6341

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DR-CS
EU(30/01/2018)

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