

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.17849 of 2017

Dhanakotti @ Valliammal

..Petitioner

Vs

1.The Inspector General of Registration,
Santhome Road,
Chennai - 600 028.

2.The District Registrar,
Villupuram District,
Villupuram.

3.The Sub Registrar,
Office of the Sub Registrar,
Arakandanallur - 605 752,
Villupuram District.

4.Valambal

5.Vanathi

6.Manimegalai

7.Ananthi

8.Poonguzhali

9.Padmasri

(Respondents 5 to 9 are impleaded as
per order of this Court dated 21.07.2017 in
W.M.P.No.20204 of 2017 in W.P.No.17849 of 2017)

.. Respondents

Writ Petitions filed under Article 226 of the Constitution of India, praying to issue a writ of mandamus, directing the first respondent to dispose the petitioner's representation / appeal dated 02.05.2017, within a stipulated time in accordance with law.

For Petitioner : Mr.M.Selvam

For Respondents: Mr.T.M.Pappiah
Special Government Pleader
(Registration) for R1 to R3
Mr.M.Devaraj for R4 to R9

O R D E R

The petitioner has come up with this writ petition for a mandamus, to direct the first respondent to dispose of her representation / appeal dated 02.05.2017, within a stipulated time.

2. The case of the petitioner is that she filed a suit in O.S.No.56 of 2016 before the District and Sessions Judge, Villupuram for partition, with regard to the joint family properties and obtained an interim order. Despite the same, the fourth respondent was trying to encumber the aforesaid properties in favour of the respondents 5 to 9. Hence, she made a representation dated 06.10.2016 to the second respondent, who in turn, conducted an enquiry on 23.11.2016. However, no order was passed, which compelled the petitioner to file a petition in W.P.No.4707 of 2017. This Court, by order dated 24.02.2017, disposed of the said writ petition, directing the authority concerned to dispose of her representation, based on the enquiry conducted on 23.11.2016. Thereafter, the second respondent vide his communication dated 12.04.2017, stated that an order had already been passed on 21.12.2016, on the petitioner's representation. Aggrieved over the said order, the petitioner preferred an appeal before the first respondent on 02.05.2017 and the same is pending without any consideration. Therefore, the petitioner is before this Court.

3. The learned counsel appearing for the petitioner submitted that it would suffice, if the appeal filed by the petitioner is directed to be disposed of by the first respondent, for which, the learned Special Government Pleader appearing for the respondents 1 to 3 has no serious objection.

4. Considering the facts and circumstances of the case, this Court, without going into the merits of the case, directs the first respondent to dispose of the appeal filed by the petitioner dated 02.05.2017 on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner as well as the respondents 4 to 9, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ms

To

1.The Inspector General of Registration,
Santhome Road,
Chennai - 600 028.

2.The District Registrar,
Villupuram Dittrict,
Villupuram.

3.The Sub Registrar,
Office of the Sub Registrar,
Arakandanallur - 605 752,
Villupuram District.

+1cc to Mr.M.Selvam Advocate, S.R.No. 66185
+1cc to Mr.M.Devaraj, Advocate, S.R.No. 66007
+1cc to the Government Pleader, S.R.No. 66675

W.P.No.17849 of 2017

KS (CO)
GN(02/11/2018)



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