

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2018

CORAM

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.33389 of 2018

P.Shajahan

... Petitioner

Vs.

1. The District Registrar,
Thiruvannamalai District.

2. The Sub Registrar,
O/o.The Sub Registrar,
Chengam,
Thiruvannamalai District

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to make appropriate entries in the encumbrance with respect to the property in S.No.304/19 situated at Pakkiripalayam Village, Chengam Sub-Registration, Chengam Taluk and Thiruvannamalai District, as per the decree and judgment dated 31.08.2018 made in O.S.No.100 of 2018, based on the petitioner's representation dated 01.10.2018.

For Petitioner : Mr.T.Arockiadass

For Respondents : Mr.M.Thamizharasan
Government Advocate RR 1 & 2

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 respondents to make appropriate entries in the encumbrance with respect to the property in S.No.304/19 situated at Pakkiripalayam Village, Chengam Sub-Registration, Chengam Taluk and Thiruvannamalai District, as per the judgment and decree dated 31.08.2018 made in O.S.No.100 of 2018, based on the petitioner's representation dated 01.10.2018.

3. It is stated in the affidavit filed in support of the petition that the petitioner and other co-shares have filed a suit in O.S.No.100 of 2018 on the file of the District Munsif Court, Chengam against one Rashith and others, seeking declaration that the two sale deeds executed as Document Nos.3763 and 4164 as null and void and not binding on them and also for consequential relief of permanent injunction. The said suit was decreed on 31.08.2018 based on the Memorandum of Compromise dated 13.07.2018. Thereafter, the petitioner gave a representation on 01.10.2018 along with judgment and decree dated 31.08.2018 made in O.S.No.100 of 2018 to the respondents to make appropriate entries relating to encumbrance in the Revenue Records with respect to the property in S.No.304/19 situated at Pakkiripalayam Village, Chengam Sub-Registration, Chengam Taluk and Thiruvananthapuram District. Though the petitioner has approached the respondents on several occasions, there were no fruitful results in that regard, except a communication in Ref.No.3572/A1/2018 dated 03.10.2018 given by the first respondent to the second respondent to take appropriate action on his representation dated 01.10.2018. Hence, the petitioner has filed this Writ Petition for the relief stated supra.

4. Heard Mr.M.Thamizharasan, learned Government Advocate appearing on behalf of the respondents 1 and 2.

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 respondents to consider the petitioner's representation 01.10.2018 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner as well as any of the interested parties and also affording them an opportunity of personal hearing 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 IV)

//True Copy//

Sub Assistant Registrar

srn

To

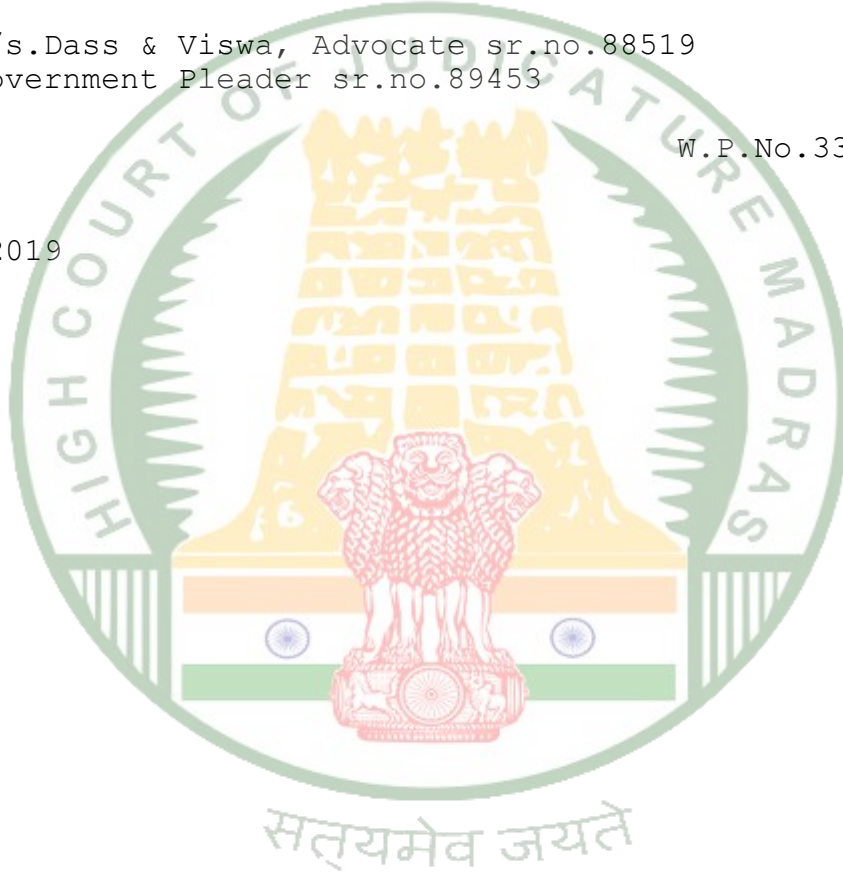
1. The District Registrar,
Thiruvannamalai District.
2. The Sub Registrar,
O/o.The Sub Registrar,
Chengam,
Thiruvannamalai District

+1cc to M/s.Dass & Viswa, Advocate sr.no.88519

+1cc to Government Pleader sr.no.89453

W.P.No.33389 of 2018

rr(co)
nr 31/01/2019



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