



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.04.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.8972 of 2018

R.Sivaganesh Kumar

... Petitioner

vs.

1.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai-600 008.

2.Joint Sub-Registrar-I,
Office of the Joint Sub-Registrar-I,
Nagercoil,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 2 to consider petitioner's representation dated 05.07.2017 and dispose of the same on merits within a stipulated time.

For Petitioner : Mr.K.S.Senthil Kumar
For Respondents : Mr.M.Murugan
Government Advocate

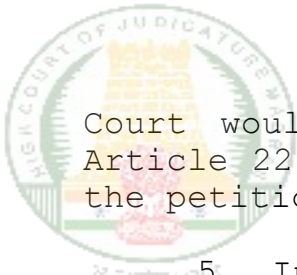
O R D E R

Mr.M.Murugan, learned Government Advocate, takes notice for the respondents.

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

3. It is the grievance of the petitioner that his representation dated 05.07.2017 seeking to revoke the cancellation of settlement deed dated 01.10.2013 registered as Document No.3080 of 2013 has not been considered by the second respondent till date and therefore, he has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this



Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the second respondent to consider the petitioner's representation dated 05.07.2017 on its own merits and take further action in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the persons who may be interested in the subject matter.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(C.O.)

/True Copy/

Sub Assistant Registrar

To:

1.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai-600 008.

2.Joint Sub-Registrar-I,
Office of the Joint Sub-Registrar-I,
Nagercoil,
Kanyakumari District.

+1CC to Mr.K.S.Senthil Kumar, Advocate, SR.No. 62808

+1CC to the Special Government Pleader SR.No.63035

W.P.(MD) No.8972 of 2018

23.04.2018

rmi/krk

AM/SV MMS/SAR 1/27.04.2018/2P/5C