



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.10094 of 2018

Nallammal

... Petitioner

vs.

1.The Sub Registrar
Sub Registrar Office
Ponnamaravathi
Pudukkottai District

2.The Tahsildar
Ponnamaravathi Taluk
Pudukkottai District

3.Chinnammal

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent not to register any document with respect to the property in Survey No.41/7 to the extent of 13 Arce situated at R.Palakurichi Village, Ponnamaravathi Taluk in Pudukkottai District by considering the representation, dated 04.02.2017, within a stipulated time.

For Petitioner : Mr.V.Sasikumar

For Respondents: Mr.Murugan

Government Advocate for R1 & R2

O R D E R

Mr.Murugan, learned Government Advocate, takes notice for the respondents 1 and 2. Notice to the third respondent is dispensed with in view of nature of the order to be passed by this Court.

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 her representation dated 04.02.2017 seeking not to register any document in respect of the property comprised in Survey No.41/7, measuring extent of 13 Arce situated at R.Palakurichi Village,



Ponnamaravathi Taluk in Pudukkottai District, has not been considered by the respondents 1 and 2 till date and therefore, she 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 first respondent to consider the petitioner's representation dated 04.02.2017 on its own merits and take further action in accordance with law, within a period of eight 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 third respondent and any other 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(CSIII)

/True Copy/

Sub Assistant Registrar

krk

To:

1.The Sub Registrar,
Sub Registrar Office,
Ponnamaravathi, Pudukkottai District.

2.The Tahsildar,
Ponnamaravathi Taluk, Pudukkottai District.

+1cc to M/S SPECIAL GOVERNMENT PLEADER, Sr.No. 64970

+1 CC TO Mr. A.MOHAN , Advocate, Sr.No. 64834

JAM/24/05/2018/ JC/SAR 3 / 2P-5C

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