



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.06.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.10465 of 2018

R.B.Kannan

... Petitioner

vs.

1. The District Registrar
Vandikara Street
Ramanathapuram-623 501

2. The Sub Registrar
Ilayankudi Road
Paramakudi, Ramanathapuram District

3. Durvasan Ramachandran

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the first respondent to consider the petitioner's representation, dated 19.04.2018 and to cancel the sale deeds, dated 21.01.2013, 29.01.2013 and 30.01.2013 in respect of petitioner properties situated at Paramakudi and Rameswaram, Sathakone Valasai that was forcefully obtained from the petitioner by the third respondent after conducting enquiry in accordance with law.

For Petitioner : Mr.T.Poovanalingam

For Respondents : Mr.Murugan

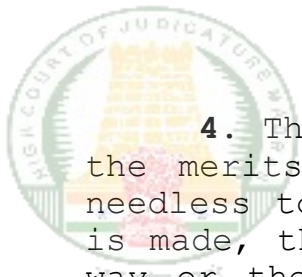
Government Advocate for R1 & R2

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 his representation dated 19.04.2018 seeking to cancel the sale deeds, dated 21.01.2013, 29.01.2013 and 30.01.2013 in respect of his properties situated at Paramakudi, Rameswaram and Sathakone Valasai, has not been considered by the official respondents 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 first respondent to consider the petitioner's representation dated 19.04.2018 on its own merits and take further action in accordance with law, within a period of twelve 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 (CS-II)

/True Copy/

Sub Assistant Registrar

To:

1. The District Registrar,
Vandikara Street,
Ramanathapuram-623 501.
2. The Sub Registrar,
Ilayankudi Road,
Paramakudi,
Ramanathapuram District.

+ 1 CC TO Mr.M.PRABHU, ADVOCATE IN SR No. 67020
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 66805

KRK

TE/JC/SAR-3 : 08/06/2018 : 2P/5C

W.P. (MD) No.10465 of 2018
04.06.2018