



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.10466 of 2018

E.Iyyasamy

... Petitioner

vs.

1. The District Registrar
Ramanathapuram District
Ramanathapuram

2. The Sub Registrar
Sub Registrar Office
Sayalkudi
Ramanathapuram District

3. V.Vazhalivittan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the second respondent to consider the representation, dated 10.03.2018 and to register the sale document pertaining to the Survey No.569/1B, extent of 1.7.00 hectare at S.Tharaikudi Village, Kadaladi Taluk, Ramanathapuram District, if the document fulfill required legal procedures as contemplated in the Act and Rules.

For Petitioner : Mr.Raja Karthikeyan

For Respondents : Mr.Murugan

Government Advocate for R1 & R2

ORDER

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 10.03.2018 seeking to register the sale deed pertaining to the property comprised in Survey No.569/1B, measuring an extent of 1.7.00 Hectare, at S.Tharaikudi Village, Kadaladi Taluk, Ramanathapuram District, 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 second respondent to consider the petitioner's representation dated 10.03.2018 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,
Ramanathapuram District,
Ramanathapuram.
2. The Sub Registrar,
Sub Registrar Office,
Sayalkudi,
Ramanathapuram District.

+ 1 CC TO Mr.RAJA KARTHIKEYAN, ADVOCATE IN SR No. 66604
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 66788

KRK

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