



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.06.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE M. GOVINDARAJ

W.P (MD) No.13360 of 2018

P.Aayammal

... Petitioner

Vs.

- 1.The President,
Registrar's Office,
100, Santhom High Road,
Pattinapakkam,
Chennai - 600 106.
- 2.The District Registrar (Admn.),
Registrar's Office,
Madurai North,
TWAD Nagar,
Rajakambiram Village,
Y.Othakadai Post,
Madurai - 625 107.
- 3.The Sub Registrar,
Alanganallur Sub Registrar Office,
Vadipatti Taluk,
Madurai District.

4.Veeman

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Mandamus to direct the respondents herein to consider the petitioner's representation dated 18.04.2018 and pass suitable order cancelling the settlement deed and remove the wrong entry in the Encumbrance Certificate.

For Petitioner : Mr.V.Maragathavel

For Respondents : Mr.M.Murugan
Government Advocate for R.1 to R.3

ORDER

Mr.M.Murugan, learned Government Advocate takes notice on behalf of the respondents 1 to 3.



2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself. In view of the order that is going to be passed, notice to the fourth respondent is dispensed with.

3. It is the grievance of the petitioner that her application dated 18.04.2018, seeking cancellation of settlement deed, dated 19.11.2010, has not been considered by the respondents 1 to 3 till date. 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 respondents 1 to 3 to consider the petitioner's representation dated 18.04.2018 on its own merits and take further action in accordance with law, within a period of one month 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 fourth respondent and to all the necessary parties who may be interested in the matter in issue.

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

Sd/-

Assistant Registrar (CS-I)

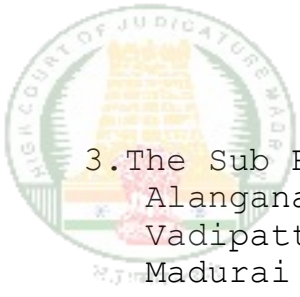
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Sub Assistant Registrar

To

1. The President,
Registrar's Office,
100, Santhom High Road,
Pattinapakkam,
Chennai - 600 106.

2. The District Registrar (Admn.),
Registrar's Office,
Madurai North,
TWAD Nagar,
Rajakambiram Village,
P. Othakkadal Post,
Madurai - 625 107.



3. The Sub Registrar,
Alanganallur Sub Registrar Office,
Vadipatti Taluk,
Madurai District.

+1cc to Mr.V.Maragathavel, Advocate, SR.No.69564.
+1cc to Special Government Pleader, SR.No.69605.

W.P(MD)No.13360 of 2018
22.06.2018

rsb

RAM/SKN RSK/SAR 3/05.07.2018/3P/6C