



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

WEB COPY

W.P.(MD) No.14845 of 2018

S.R.Balakrishnan

... Petitioner

vs.

1.The District Registrar (Administration)

Office of the District Registrar

Thirumalai Naicker Mahal Road

Madurai-625001

2.P.Manikanda Moorthy

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus to consider the petitioner's representation dated 07.12.2017 and 02.07.2018 as per Circular No.41530/U1/2017, dated 08.11.2017, issued by the Inspector General of Registration, Chennai, in connection with File No.1474/Aa2/2018, dated 01.03.2018, pending before the first respondent within a stipulated time.

For Petitioner : Mr.V.Baskaran

For Respondents : Mr.Murugan

Government Advocate for R1

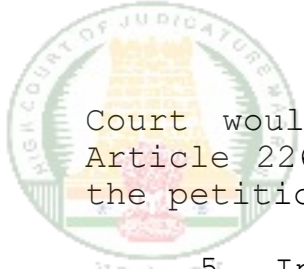
O R D E R

Mr.Murugan, learned Government Advocate, takes notice for the first respondent. Notice to the second 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 representations dated 07.12.2017 and 02.07.2018 seeking to cancel the sale deed registered as document No.9857 of 2018, on the file of the Joint Sub-Registrar No.I, Madurai South, has not been considered by the first 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 official respondent is 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 his office and as such, this



Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct him 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 representations dated 07.12.2017 and 02.07.2018 in the light of the circular No.41530/U1/2017, dated 08.11.2017, issued by the Inspector General of Registration, Chennai and pass appropriate orders, within a period of eight weeks from the date of receipt of a copy of this order. Such an exercise shall be done after conducting enquiry and giving due opportunity to the petitioner as well as to the second respondent and any other persons who may be interested in the subject matter.

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

Sd/-

Assistant Registrar(Crl. side)

/True Copy/

Sub Assistant Registrar

To:

The District Registrar (Administration),
Office of the District Registrar,
Thirumalai Naicker Mahal Road,
Madurai-625001.

+1cc to Special Government Pleader, SR.No. 72516

W.P.(MD) No.14845 of 2018

11.07.2018

krk

JM/PN/SAR 4/23.07.2018/2P/3C