



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.15817 of 2018

WEB COPY

Esthar

... Petitioner

Vs.

1. The District Registrar,
Nearby New Busstand,
Thoothukudi,
Thoothukudi District.
2. The Sub-Registrar,
Chidambaram Sub-Registration Office,
No.53, Valgai Street,
Chidambaram-608 001.
Kadalur District.
3. The Sub-Registrar,
Tiruchendur Sub-Registration Office,
Thiruchendur- 628 215
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to issue a copy of Will Nos.1448/1934, 861/1936, 181/1937 and 187/1937 by considering the petitioner's representation dated 03.01.2018 and 05.01.2018 and issue the copy of the Will documents to the Petitioner.

For Petitioner : Mr.J.David Ganesan

For Respondents : Mr.M.Murugan

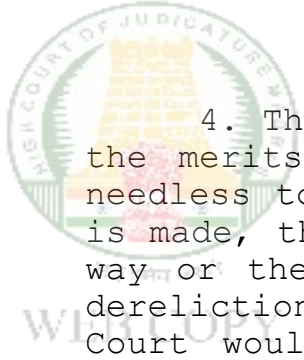
Government Advocate

ORDER

Mr.M.Murugan, learned Government Advocate, takes notice for the respondents.

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 03.01.2018 and 05.01.2018 seeking to issue a copy of Will Nos.1448/1934, 861/1936, 181/1937 and 187/1937, has not been considered by the third 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 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 third respondent to consider the petitioner's representation dated 03.01.2018 and 05.01.2018 on its own merits and take further action in accordance with law, within a period of three 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 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(RTI)

/True Copy/

Sub Assistant Registrar(CS-IV)

To:

1. The District Registrar,
Nearby New Busstand,
Thoothukudi, Thoothukudi District.
2. The Sub-Registrar,
Chidambaram Sub-Registration Office,
No.53, Valgai Street, Chidambaram-608 001.
Kadalur District.
3. The Sub-Registrar,
Tiruchendur Sub-Registration Office,
Thiruchendur- 628 215, Thoothukudi District.

+1CC to Mr.J.David Ganesan, Advocate, SR.No.74216
+1CC to the Special Government Pleader SR.No. 74252

W.P.(MD) No.15817 of 2018
20.07.2018

PNN

ES/SKN/RSK/SAR 4/10.08.2018/2P/6C

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