



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.15551 of 2018

Akilandeswari

... Petitioner

Vs.

1. The Inspector General of Registration,
O/o. Inspector General of Registration,
No:100, Santhome High Road,
Chennai.

2. The District Registrar,
Registrar Office,
Pattukottai,
Thanjavur District.

3. The Sub Registrar,
Office of the Sub Registrar Office,
Peravurani,
Thanjavur District.

4. V.Vasanthi

... Respondents

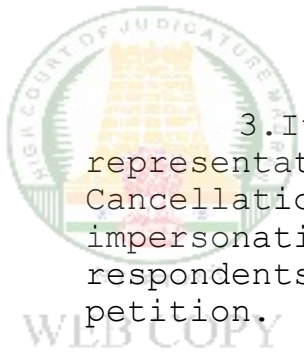
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents No.1 to 3 to take appropriate action on the petitioner's representation dated 25.06.2018 as per Circular No:67, dated 03.11.2011 of the 1st respondent in a time bound manner by way of cancelling the document No.2808/2009.

For Petitioner : Mr.V.M.Balamohan Thambi
For R1 to R3 : Mr.M.Murugan
Government Advocate

ORDER

Mr.M.Murugan, learned Government Advocate, takes notice for the respondents 1 to 3. Notice to the fourth respondent is dispensed with in view of the nature of the order passed in this writ petition.

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 her representation dated 25.06.2018 seeking cancellation of fraudulent Cancellation Deed registered by the fourth respondent by impersonating the petitioner has not been considered by the official respondents till date and therefore, 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 other. Non consideration of the same would amount to dereliction of their ordinary duties of their office and as such this Court would be justified in invoking its powers under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

5.The learned Government Advocate appearing for the official respondents would submit that the circular No.67 dated 03.11.2011 has already been withdrawn. As such, it would not appropriate to direct the second respondent to consider the petitioner's representation on the basis of the Circular No.67 dated 03.11.2011 as requested by the petitioner.

6.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 25.06.2018 on its own merits and take further action in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. Such an exercise shall be made, after giving notice to the petitioner and any other persons, who may be interested in the subject property.

7.With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1. The Inspector General of Registration,
O/o. Inspector General of Registration,
No:100, Santhome High Road,
Chennai.



2. The District Registrar,
Registrar Office,
Pattukottai,
Thanjavur District.

3. The Sub Registrar,
Office of the Sub Registrar Office,
Peravurani,
Thanjavur District.

+ 1 CC TO Mr.V.M.BALAMOHAN THAMPI, ADVOCATE IN SR No. 73434
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 73833

TA

TE/SV/SAR-3 : 27/07/2018 : 3P/6C

W.P. (MD) No.15551 of 2018
18.07.2018