



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.(MD) Nos.17528 & 17529 of 2018

B.Muthuraj
S.Sangaiah

... Petitioner in W.P.(MD) No.17528 of 2018
... Petitioner in W.P.(MD) No.17529 of 2018
vs.

1.The Inspector General of Registration
St.George Fort, Secreterate, Chennai

2.The District Registrar
Madurai North District Registrar
Melur Circle, Othakadai, Madurai-107

3.The Sub Registrar
Melur Sub Registrar Office
Melur, Melur Taluk, Madurai District

... Respondents in both W.Ps.

PRAYER (in W.P.(MD) No.17528 of 2018): Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the third respondent, Sub Registrar, Melur, Madurai to register the sale deed as and when the petitioner present the sale deed selling the said property in S.No.243/2C/A in an extent of East west 18 1/4 feet and south north 22 3/4 feet, without objection on the ground want of separate stamp duty since no notice served on him, under the circumstances his written representation dated 25.07.2018 shall be consider and allow the petitioner to register the sale deed in favor of proposed purchaser.

PRAYER (in W.P.(MD) No.17529 of 2018): Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the third respondent, Sub Registrar, Melur, Madurai to register the sale deed as and when the petitioner present the sale deed selling the said property in S.No.243/2C/1A in an extent of East west 20 Feet and South North 15 1/4 feet building Door No.218, 219 and 220W9/S1, without objection on the ground want of separate stamp duty based on petitioner's written representation dated 25.07.2018.

For Petitioner : Mr.M.Lingadurai
(in both W.Ps.)

For Respondents : Mr.M.Murugan
(in both W.Ps.) Government Advocate

**COMMON ORDER**

Since the issue involved in both the writ petitions is one and the same, they have been clubbed together, heard together and are being disposed of by this common order.

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

3. By consent of both parties, these writ petitions are taken up for final disposal at the stage of admission itself.

4. It is the grievance of the petitioners that their representations dated 25.07.2018 seeking to register the sale deeds in respect of the properties comprised in Survey Nos.243/2C/A and 243/2C/1A of Melur Village, have not been considered by the respondents till date and therefore, they have filed the present writ petitions.

5. This Court has not expressed any of its view with regard to the merits of the representations made by the petitioners. 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 petitioners' representations within a stipulated time.

6. In view of the limited prayer sought for in these writ petitions, there shall be a direction to the third respondent to consider the petitioners' representations dated 25.07.2018 on its own merits and take further action in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioners as well as to the persons who may be interested in the subject matter.

7. With the above directions, these writ petitions are disposed of. No costs.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar (CS-II)

To:

1.The Inspector General of Registration,
St.George Fort, Secreterate, Chennai.

2.The District Registrar,

<https://hcservices.ecourts.gov.in/hcservices/>

Madurai North District Registrar,
Melur Circle, Othakadai, Madurai-107.



3.The Sub Registrar,
Melur Sub Registrar Office,
Melur, Melur Taluk, Madurai District.

+2CCs to MR.M.Lingadurai Advocate in Sr.No.77343,77344.

+1CC to Special Government Pleader in Sr.No.77277.

KRK

DS RP SAR-2 ;31.08.2018; 3P/7C

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