



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 03.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE M. S. RAMESH
W.P. (MD) No.17314 of 2018

WEB COPY

P.Ramakrishnan Chettiar

... Petitioner

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

PRAYER: 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 registrar the sale deed as an when the petitioner present the sale deed selling the said properties in S.No.Survey No.245/7 measuring an extent of 1st Floor, East West 11 1/2 Feet, South North 9 1/2 Feet and 2nd Floor East west 11 1/2 feet and South North 16 3/4 Feet and third floor East west 11 1/2 feet, South North 61 1/2 Feet, without objection on the ground want of separate stamp duty since, no notice served on the petitioner under the circumstances written representation dated 25.07.2018 shall be consider and allow the petitioner to register the sale deed in favour of proposed purchaser.

For Petitioner : Mr.M.Lingadurai

For Respondents : Mr.M.Murugan

Government Advocate

O R D E R

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

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 representation dated 25.07.2018 seeking to register the sale deed in respect of the property comprised in Survey Nos. 245/7 of Melur Village, has not been considered by the respondents till date and therefore, he has filed the present writ petitions.



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 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 petitioner as well as to the 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 (CS-II)

/True Copy/

Sub Assistant Registrar (CS-II)

To:

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.

+1CC to MR.M.Linadurai Advocate in Sr.No.77342.

+1CC to Special Government Pleader in Sr.NO.77290.

KRK

DS RP SAR-2 ;31.08.2018; 2P/6C