

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 03.08.2018****CORAM:****THE HONOURABLE MR. JUSTICE M.S. RAMESH****W.P. (MD) No. 3128 of 2017****WEB COPY**

A.Kamatchiammal

... Petitioner

vs.

1. The Sub Registrar,
Office of the Sub Registrar Registration Office,
Aathur Taluk, Dindigul District.

2. Nagammal ... Respondents
[2nd respondent is impleaded as per order dated
03.08.2018 made in W.M.P. [MD]. No. 15468 of 2018]

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to pass appropriate orders based on the representation made by the petitioner dated 02.01.2017 and register the gift deed pending before him for the property in Survey Numbers: 450/4, 441/3, 289/8 and 295/8 situated at Patchamalayankottai Village, Dindigul District within the time stipulated by this Court.

For Petitioner	: Mr.S.Lenin Prabhu
For R-1	: Mr.M.Murugan Government Advocate
For R-2	: Mr.S.Prabhu

O R D E R

Heard Mr.S.Lenin Prabhu, learned counsel appearing for the petitioner and Mr.M.Murugan, learned Government Advocate appearing for the first respondent, Mr.S.Prabhu, learned counsel appearing for the second respondent.

2. It is the grievance of the petitioner that her representation dated 02.01.2017, seeking for register the gift deed pending before him for the property in Survey Numbers: 450/4, 441/3, 289/8 and 295/8 situated at Patchamalayankottai Village, Dindigul District, has not been considered by the respondent till date and therefore, she has filed the present writ petition.

3. 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.

4. In view of the limited prayer sought for in this writ petition, there shall be a direction to the respondent to consider the petitioner's representation dated 02.01.2017, 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, if not already disposed of. Such an exercise shall be done after 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.

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

Sd/-

Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar(CS-I)

To

The Sub Registrar,
Office of the Sub Registrar Registration Office,
Aathur Taluk, Dindigul District.

+1cc to Mr.S.Prabhu, Advocate SR.No.77345

+1cc to SPECIAL GOVERNMENT PLEADER, SR.No.77523

Sji

MK/RP/SAR 1/07.09.2018/2P/4C

W.P. (MD) No.3128 of 2017
03.08.2018