

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 31.01.2019

CORAM

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.2206 of 2019

R.Thirupathi

... Petitioner

Vs.

1. The State of Tamil Nadu
Rep. by its Secretary to Government,
Revenue and Disaster Management Department,
Fort St.George, Chennai.
2. The Inspector General of Registration
O/o. The Inspector General of Registration,
No.100, Santhome High Road,
Mylapore, Chennai - 600 028.
3. The District Registrar,
O/o. The District Registrar,
J C K Nagar, Chengalpattu - 603 002.
4. The Sub Registrar,
O/o The Sub-Registrar,
29, South Mada Street,
Thiruporur - 603 110.

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 2 to 4 to consider the representation dated 20.11.2018 and consequently direct them to remove the entry pertaining to the settlement deed vide Doc.No.12322/2012 dated 11.06.2012 duly registered on the file of the third respondent, from all the revenue records maintained by the respondents 2 to 4 herein.

For Petitioner : Mr.E.Suganthan

For Respondent - 1 : Mr.N.Inbanathan
Additional Government Pleader

For Respondents 2 to 4: Mr.T.M.Pappiah
Special Government Pleader

O R D E R

By consent of both parties, the Writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner has come up with this Writ Petition seeking a direction to the respondents 2 to 4 to remove the entry pertaining to the settlement deed vide Doc.No.12322/2012 dated 11.06.2012, registered on the file of the third respondent from all the revenue records maintained by the respondents 2 to 4 by considering his representation dated 20.11.2018.

3. According to the learned counsel for the petitioner, the petitioner had filed a suit in O.S.No.54 of 2015 before the Subordinate Judge, Chengalpet, declaring that the Settlement Deed dated 06.11.2002, vide Document No.12322 of 2012 on the file of the Sub Registrar, Thiruporur/third respondent herein, as null and void and for permanent injunction. Subsequently, in order to resolve the dispute amicably, the matter was referred to the National Lok Adalat on 21.04.2017, wherein, the parties have entered into a joint compromise memo stating that the defendants in the said suit had no objection to declare the said settlement deed, as null and void. After recording the said submission, the National Lok Adalat passed an Award dated 21.04.2017 and the same was also recognised by the Subordinate Court, Chengalpet. Pursuant to the same, the petitioner has submitted a representation on 20.11.2018 to the respondents 2 to 4 seeking to remove the entry pertaining to the settlement deed vide Doc.No.12322/2012 dated 11.06.2012, registered on the file of the third respondent from all registers maintained by the respondents 2 to 4, but the same is yet to be disposed by the respondents 2 to 4. Hence, the petitioner is before this Court.

4. Heard Mr.N.Inbanathan, learned Additional Government Pleader on behalf of the first respondent and Mr.T.M.Pappiah, learned Special Government Pleader on behalf of the respondents 2 to 4.

5. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the representation, directs the respondents 2 to 4 to consider the petitioner's representation 20.11.2018 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner and the persons interested in this regard and also affording them an opportunity of personal hearing, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above directions, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Srn/av
To

1. The Secretary to Government,
The State of Tamil Nadu,
Revenue and Disaster Management Department,
Fort St.George, Chennai.
2. The Inspector General of Registration
O/o. The Inspector General of Registration,
No.100, Santhome High Road,
Mylapore, Chennai - 600 028.
3. The District Registrar,
O/o. The District Registrar,
J C K Nagar, Chengalpattu - 603 002.
4. The Sub Registrar,
O/o The Sub-Registrar,
29, South Mada Street,
Thiruporur - 603 110.

+1cc to Mr.E.Suganthan Advocate for M/S.Nathan & Associates,
Sr.9189

+1cc to the Government Pleader sr.8773, 9131

WEB COPY

W.P.No.2206 of 2019

srg 13/02/2019