

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.12.2019

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No.16609 of 2018

Gnanammal

.. Petitioner

..Vs..

1.The Inspector General of Registration,
No.100, Santhome High Road,
Pattinapakam, Chennai-600 028.

2.The District Registrar,
Chennai (Central)
100/72 Chamiers Road,
Nandanam, Chennai-600 018.

3.The Sub-Registrar,
Purasaiwalkam,
No.62, perambur Barracks Road,
Chennai-600 072.

4.R.Henry Monoharan

5.N.Ahmed Ali

.. Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the first respondent to consider the representation of the petitioner dated 07.02.2018.

For Petitioner : Mr.G.Thiyagarjan

For Respondents : Mr.T.M.Pappiah
Special Government Pleader

O R D E R

The petitioner has filed the present Writ Petition for issuance of a Writ of Mandamus, directing the first respondent/Inspector General of Registration to consider the representation of the petitioner dated 07.02.2018.

2.The petitioner herein is a senior citizen aged about 85 years. The petitioner's husband late Sundararajan, was the owner of the portion of 2 Cownies, 20 grounds and 1220 Sq.ft in RS.Nos.2925/2 and 2892/part, 2922, 2923 and 2923/2 at Otteri, Purasaiwalkam. The Tamil Nadu Slum Clearance Board had acquired the property without issuing any notice. Thereafter, the petitioner's husband had filed a petition before the City Civil Court, Chennai in O.S.No.1089 of 1973 and the same was allowed on 06.02.1980. Then, the Tamil Nadu Slum Clearance Board had filed an interim application to set aside the above judgment and the same was dismissed by the City Civil Court, Chennai. On 26.01.1991 the petitioner's husband died. Thereafter, the fourth respondent/Henry Mahoharan who is a stranger to the property, tried to take over the property with forged and manipulated documents.

3.The learned counsel for the petitioner submitted that the petitioner submitted all the requisite documents as per the requirement of the Revenue Department on 03.10.2012, but there was no action taken against the fourth respondent/Henry Manoharan. Therefore, the petitioner made a representation to the first respondent on 07.02.2018. Till date her representation has not been considered by the respondent. Therefore, this Court was sought to issue a direction to the respondent to consider the petitioner's representation dated 07.02.2018.

4.Heard, the learned Special Government Pleader for the respondents and perused the materials available on records.

5.The second respondent, District Registrar, Chennai (Central) is directed to enquire into the complaint, dated 07.02.2018. The petitioner is directed to submit a fresh copy of the complaint, dated 07.02.2018 before the second respondent. The second respondent may also call for the records from the Sub Registrar, Purasaiwalkam with regard to the encumbrance. The fourth and fifth respondents are directed to produce the necessary evidence and oral documents and thereafter, the concerned respondent is directed to consider the representation, dated 07.02.2018 submitted by the petitioner and pass an appropriate order on or before 29.02.2020.

With the above directions, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

tta

To

1.The Inspector General of Registration,
No.100, Santhome High Road,
Pattinapakam, Chennai-600 028.

2.The District Registrar,
Chennai (Central)
100/72 Chamiers Road,
Nandanam, Chennai-600 018.

3.The Sub-Registrar,
Purasaiwalkam,
No.62, perambur Barracks Road,
Chennai-600 072.

+1cc to Mr.G.Thiagaraja, Advocate, S.R.No. 102488
+1cc to the Government Pleader, S.R.No. 101637

W.P.No.16609 of 2018

SSV(CO)
GN(12/02/2020)



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