

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.01.2019

CORAM

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.32893 of 2018

Mr.Syed Kaleem,
Proprietor,
M/s. Ever Bright Industries,
OldNo.72/B, New No.80, Sydenhams Road,
Periamet, Chennai 600 003. .. Petitioner

Vs.

1. The Inspector General of Registration,
No.100, Santhome High Road,
Mylapore, Chennai 600 004.
2. The DRO, Central Chennai,
No.182, Bharati Salai (Pycrafts Road),
Royapettah, Chennai 600 014.
3. The Sub-Registrar,
Periamet Sub-Registrar Office,
Periamet, Chennai 600 003. ... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd respondent to consider the petitioner's representation dated 23.07.2018 and to remove the aforesaid endorsements from the encumbrance Certificate viz., (i) Document No.54 of 2003 and (ii) Document No.26 of 2004 in respect of property bearing Door No.42, Old Door No.74, Maddox Street, Choolai, Chennai comprised in OS.No.773, Old R.S.No.808, present R.S.No.808/2, C.C.No.3504, Vepery Village.

For Petitioner : Mr.T.Velumani
For Respondents : Mr.T.M.Pappiah
Special Govt. Pleader for R1& R3
Mr.K.T.Devendran
Addl. Govt. Pleader for R2

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 third respondent to consider his representation dated 23.07.2018 and to remove the endorsements from the encumbrance Certificate viz., (i) Document No.54 of 2003 and (ii) Document No.26 of 2004 in respect of property bearing Door No.42, Old Door No.74, Maddox Street, Choolai, Chennai comprised in OS.No.773, Old R.S.No.808, present R.S.No.808/2, C.C.No.3504, Vepery Village.

3. According to the learned counsel for the petitioner, the petitioner has submitted a representation dated 23.07.2018 for removing of entry in the Encumbrance Certificate registered as (i) Document No.54 of 2003 and (ii) Document No.26 of 2004, but, the same is yet to be disposed of by the third respondent. Hence, the petitioner is before this Court.

4. Heard Mr.T.M.Pappiah, learned Special Government Pleader appearing on behalf of respondents 1 and 3 and Mr.K.T.Devendran, learned Additional Government Pleader appearing on behalf of second respondent.

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 third respondent to consider the petitioner's representation dated 23.07.2018 and pass appropriate orders, on merits and in accordance with law, after issuing notice and also affording due opportunity of hearing to the petitioner, as well as any of the interested parties, 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

jv

To

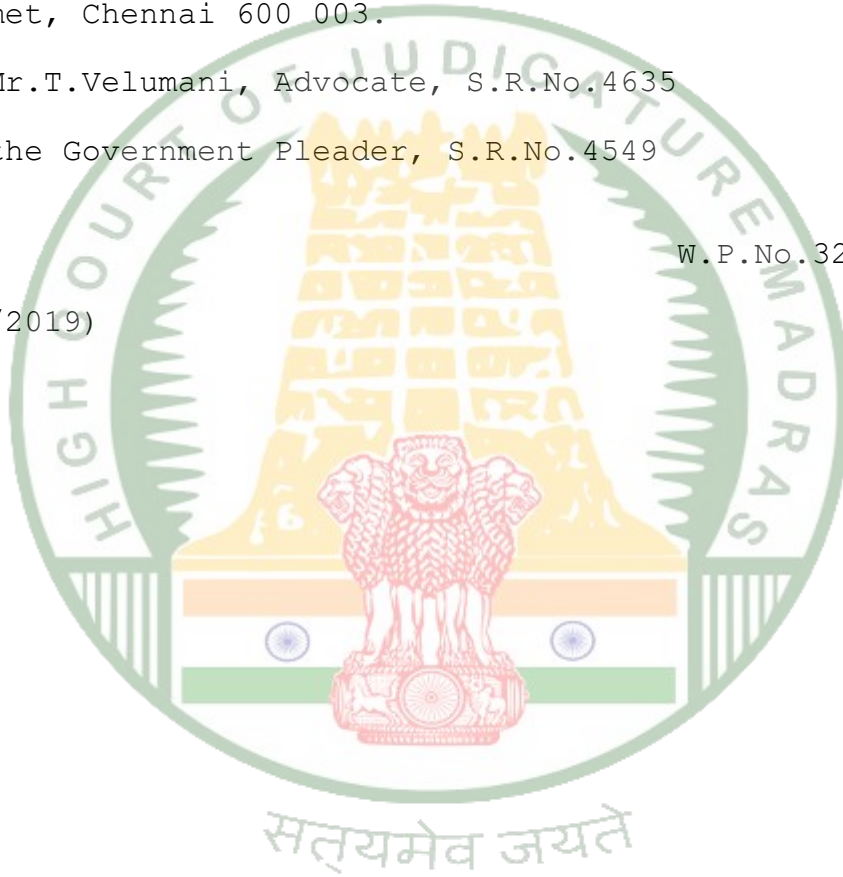
1. The Inspector General of Registration,
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Mylapore, Chennai 600 004.
2. The DRO, Central Chennai,
No.182, Bharati Salai (Pycrafts Road),
Royapettah, Chennai 600 014.
3. The Sub-Registrar,
Periamet Sub-Registrar Office,
Periamet, Chennai 600 003.

+1 cc to Mr.T.Velumani, Advocate, S.R.No.4635

+1 cc to the Government Pleader, S.R.No.4549

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PPA(CO)
SSM(19/02/2019)



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