

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 10.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR**W.P.(MD) No.12818 of 2019**

R.Sureshkannan

... Petitioner

vs.

1) The District Registrar,
Department of Registration,
Ariyalur Registration District,
Ariyalur, Ariyalur District.

2) Saraswathi

3) Lathabhai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 1st respondent to conduct thorough enquiry and thereby annul the deed of gift settlement executed by the 2nd respondent in favour of 3rd respondent in document Nos.6888/2009 and 6889/2009 dated 21.10.2009 by considering the representation given by the petitioner dated 06.05.2019 with the period stipulated by this Court.

For Petitioner : Mr.N.Sathish Babu
For Respondents : Mr.M.Murugan,
Government Advocate

O R D E R

The prayer sought for in this Writ Petition is for a Writ of Mandamus directing the 1st respondent to conduct thorough enquiry and thereby annul the deed of gift settlement executed by the 2nd respondent in favour of 3rd respondent in document Nos.6888/2009 and 6889/2009 dated 21.10.2009 by considering the representation given by the petitioner dated 06.05.2019 within a period stipulated by this Court.

2. Heard Mr.N.Sathish Babu, learned counsel for the petitioner and Mr.M.Murugan, learned Government Advocate appearing for the official respondent. Since no adverse orders are going to be passed against the second and third respondents, notice to the private respondents are hereby dispensed with.

3. The petitioner though sought for a larger prayer directing the first respondent to conduct thorough enquiry and thereby, annul the deed of gift settlement executed by the second respondent in favour of the third respondent, today Mr.N.Sathish Babu, learned counsel for the petitioner submitted that, the petitioner wants to confine with the prayer that his representation dated 06.05.2019 to



annul the deed of gift settlement executed by the 2nd respondent in favour of 3rd respondent is considered, after conducting thorough enquiry by affording due opportunity of hearing to both the petitioner as well as the respondents 2 & 3 within the time to be stipulated by this Court, then, the petitioner would be satisfied.

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4. Mr.M.Murugan, learned Government Advocate appearing for the official respondent also submits that, if the petitioner appears along with the necessary documents, then, the first respondent would certainly conduct an enquiry on his representation dated 06.05.2019.

5. Considering the limited scope of the prayer now sought for in this writ petition, this Court is inclined to pass the following orders:-

"that the first respondent shall consider the representation of the petitioner dated 06.05.2019 with regard to his grievance of cancellation of the sale deed between the second and third respondents dated 21.10.2009 by conducting a detailed enquiry and pass orders thereon, on merits and in accordance with law. While conducting such enquiry, the first respondent shall give opportunity of being heard to the second and third respondents and pass orders thereon on merits within a period of eight (08) weeks from the date of receipt of a copy of this order."

With these observations and directions, the Writ Petition is disposed of. However, there shall be no orders as to costs.

Sd/-

Assistant Registrar()

// True Copy //

Sub Assistant Registrar(CS)

sts
To
The District Registrar,
Department of Registration,
Ariyalur Registration District,
Ariyalur, Ariyalur District.

+1CC TO MR.N.SATHISH BABU, Advocate Sr. No.67672
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 67848

Order made in
W.P. (MD) No.12818 of 2019