



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.08.2019**

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD)No.18158 of 2019

K.Subbulakshmi

...Petitioner

-Vs-

1.The District Registrar,
Karaikudi,
Sivagangai District.

2.The Sub Registrar,
Ponnamaravathy,
Sivagangai District.

...Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, to direct the respondents to conduct the enquiry and cancel the sale deed document No.267/2010 on the basis of O.S.No.54 of 2010 and consequently direct the respondents to consider the petitioner's representation dated 02.08.2019.

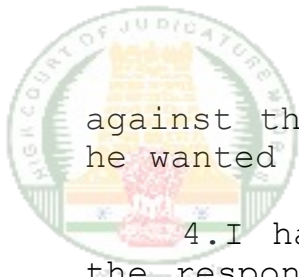
For Petitioner : Mr.A.Mu.Sharavanan
For Respondents : Mr.V.Anand, G.A.

ORDER

The prayer in this writ petition is for a Writ of Mandamus, to direct the respondents to conduct the enquiry and cancel the sale deed document No.267/2010 on the basis of the judgment and decree in O.S.No.54 of 2010 and consequently direct the respondents to consider the petitioner's representation dated 02.08.2019.

2.Heard Mr.A.Mu.Sharavanan, learned counsel appearing for the petitioner and Mr.V.Anand, learned Government Advocate appearing for the respondents.

3.In order to cancel the sale deed in document No.267/2010 on the file of the 2nd respondent Sub Registrar, the petitioner has sent representation on 02.08.2019. In this regard, the learned counsel appearing for the petitioner would submit that, already, there is a civil Court decree in O.S.No.54 of 2010 and the said Civil Court decree has become final as no appeal has been filed



against the same. Therefore, pursuant to the civil Court decree, he wanted the relief of cancel the deed in question.

4.I have heard the learned Government Advocate appearing for the respondents, who would submit that, after verifying the civil Court decree as well as the request of the petitioner along with the documents dated 03.02.2010 in document No.267/2010, order would be passed on the representation of the petitioner dated 02.08.2019 on merits and in accordance with law, within a time frame to be stipulated by this Court.

5.Having regard to the said said submissions made by both sides, this Court is inclined to dispose of this writ petition, with the consent of both the parties, at the stage of admission itself, with the following direction:

"The respondents, especially, the 2nd respondent is hereby directed to consider the representation of the petitioner dated 02.08.2019 and pass orders thereon, on merits and in accordance with law, of course, after considering the Civil Court decree made in O.S.No.54 of 2010 on the file of the District Munsif cum Judicial Magistrate, Thituppathur dated 04.08.2010 and necessary orders to that effect shall be passed, within a period of eight weeks from the date of receipt of a copy of this order. In this regard, if need be, an opportunity of being heard also can be given to the petitioner as well as the rival claimants."

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

Sd/-

Assistant Registrar (CS-II)

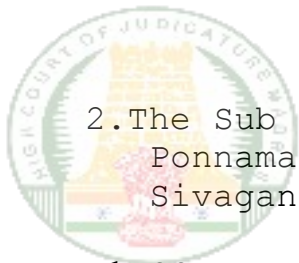
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Sub Assistant Registrar (CS)

Arul

To

1.The District Registrar,
Karaikudi,
Sivagangai District.



2.The Sub Registrar,
Ponnamaravathy,
Sivagangai District.

+1 CC to Mr.A.MU. SHARAVANAN, Advocate (SR-82685[F] dated
21/08/2019)

+1 CC to Mr.SPL GP (SR-83215[F] dated 22/08/2019)

Order made in
W.P. (MD)No.18158 of 2019

Dated:
21.08.2019

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