



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.10.2019

CORAM:

THE HONOURABLE **MR.JUSTICE M.SUNDAR**

W.P(MD)No.22532 of 2019

WEB COPY

K.A.Shanmugavel

... Petitioner

/Vs./

1.The Deputy Inspector General Registration,
Combined Registration Office Campus,
Rajagambiram, Thirumogur Road,
Othakadai, Madurai District.

2.The District Registrar (Admin),
O/o., The District Registrar,
Tirunelveli District.

3.The Sub-Registrar,
O/o., The Sub-Registrar,
Palayamkottai, Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents No.2 and 3 to consider the petitioner's representation dated 21.08.2019 within the period that may be stipulated by this Court.

For Petitioner : Mr.M.Maharaja

For Respondents : Mr.V.Anand

Government Advocate

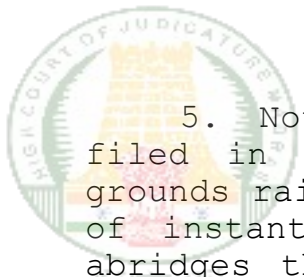
ORDER

Mr.M.Maharaja, learned counsel on record for writ petitioner is before this Court.

2. Mr.V.Anand, learned Government Advocate, accepts notice on behalf of all three respondents.

3. With consent of learned counsel on both sides, main writ petition is taken up, heard out and is being disposed of.

4. The main writ petition turns on a very narrow compass, as it is one seeking mandamus qua disposal of writ petitioner's representation dated 21.08.2019 wherein writ petitioner has alleged fraudulent registration of a document.



5. Notwithstanding several averments made in the affidavit filed in support of the writ petition, notwithstanding several grounds raised / contentions urged in the affidavit filed in support of instant writ petition, learned counsel for writ petitioner abridges the scope of the writ petition and submits that it will suffice if the second respondent is directed to dispose of the aforementioned representation of the writ petitioner, dated 21.08.2019, details of which have been alluded to supra.

6. Learned State counsel submitted that the second respondent is the authority who shall consider the aforementioned representation dated 21.08.2019 made by the writ petitioner (page Nos.1 to 4 of the typed set of papers forming part of the case file).

7. The aforesaid representation dated 21.08.2019 shall be disposed of by the second respondent on its own merits and in accordance with law, more particularly in accordance with Letter No.41530/U1/2017 dated 31.07.2018 and 08.11.2018 issued by Office of the Inspector General of Registration, Chennai, as expeditiously as possible and in any event, within a period of eight (8) weeks from the date of receipt of a copy of this order.

8. It is made clear that in the course of the representation being considered by the second respondent, if the rights of any other third party / parties or any other third party entity / entities is / are likely to be affected, the second respondent shall give reasonable opportunity to such third party / parties or any other third party entity / entities, before disposing of the aforementioned writ petitioner's representation. Though obvious, it is made clear that this Court has not expressed any opinion or view on the merits of the matter. The authority concerned shall not embark upon any exercise which is within the domain of civil Court jurisdiction.

9. The proceeding / order of disposal shall be communicated by the office of the second respondent to the writ petitioner under due acknowledgement within seven (7) working days from the completion of aforesaid exercise.

10. Instant Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)



To

1.The Deputy Inspector General Registration,
Combined Registration Office Campus,
Rajagambiram, Thirumogur Road,
Othakadai, Madurai District.

2.The District Registrar (Admin),
O/o., The District Registrar,
Tirunelveli District.

3.The Sub-Registrar,
O/o., The Sub-Registrar,
Palayamkottai, Tirunelveli District.

+1 CC to M/s.M.MAHARAJA, Advocate (SR-94221[F] dated 24/10/2019)

Order made in
W.P (MD) No.22532 of 2019
24.10.2019

KK/SAR/13.11.2019/3P-5C/