



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

WEB COPY

W.P (MD) No.25385 of 2019

S.Mohan

... Petitioner

Vs.

The Sub-Registrar,

Joint I Sub-Registrar Office,

Palayamkottai, Tirunelveli District. ... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondent to register the rectification deed dated 09.11.2019 of the petitioner which is relating to Ayan Punja land in Survey No.140/3 admeasuring 6.06 cents out of 2A 12 cents in Plot No.18, Ramalakshmi Nagar situated at Reddiarpatti Village, Palayamkottai Sub-Registration Limit, Palayamkottai Registration District, Palayamkottai Taluk, Tirunelveli District based on the petitioner's representation dated 16.11.2019.

For Petitioner : Mr.T.Selvan

For Respondent : Mr.V.Anand,
Government Advocate.

ORDER

Mr.T.Selvan, learned counsel on record for writ petitioner and Mr.V.Anand, learned Government Advocate, who accepts notice on behalf of sole respondent are before this Court.

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

3. The main writ petition turns on a very narrow compass, as it is one seeking mandamus qua disposal of writ petitioner's representation dated 16.11.2019 wherein writ petitioner has made a plea regarding registration of a rectification deed dated 09.11.2019 which according to writ petitioner has been presented online for registration.

4. 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 respondent is directed to dispose of the aforementioned representation of the writ petitioner, dated 16.11.2019, details of which have been alluded to supra.



5. Learned State counsel submitted that the respondent is the authority who shall consider the aforementioned representation dated 16.11.2019 made by the writ petitioner (page Nos.9 & 10 of the typed set of papers forming part of the case file).

6. The aforesaid representation dated 16.11.2019 shall be disposed of by the respondent on its own merits and in accordance with law 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.

7. It is made clear that in the course of the representation being considered by the respondent, if the rights of any other third party / parties or any other third party entity / entities is / are likely to be affected, the 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 ie., sole respondent shall not embark upon any exercise which is within the domain of civil Court jurisdiction.

8. The proceeding / order of disposal shall be communicated by the respondent to the writ petitioner and others concerned (if any) under due acknowledgement within seven (7) working days from the completion of aforesaid exercise.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

The Sub-Registrar,
Joint I Sub-Registrar Office,
Palayamkottai,
Tirunelveli District.

+1 CC to M/s.T. SELVAN, Advocate (SR-102275[F] dated 28/11/2019)
+1 CC to M/s.Special Government Pleader (SR-102784[F] 29/11/2019)

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ps

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