

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2020

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.No.6093 of 2020 and WMP Nos.7157,7158,7163, 7168 of 2020

1. K.Venkatesh
 2. Tmt.Shanthi
- ... Petitioners

-Vs-

1. The Inspector General of Registration,
Santhome High Road,
Chennai 600 028.
 2. The District Registrar,
(Administration),
Office of the District Registrar,
Coimbatore -641 018.
 3. The Sub Registrar,
Office of the Sub Registrar Joint II
Raja Street,
Coimbatore - 641 003.
 4. Mrs.Sumithra Devi
 5. Mrs.Suganthi
 6. Mrs.Suganya
 7. Mrs.Sheela Rani
 8. Mr.Prithiviraj
 9. Mr.Balraj
 10. Mr.Anil
- ... 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 protest petition dated 17.02.2020 and 19.02.2020 from the petitioner respectively

and direct the 3rd respondent not to register the pending Document No.11/2020 and also to furnish the documents sought for including pending Document No.11/2020 on the file of 3rd respondent.

For Petitioner : Mr.K.Moorthy
For Respondents : Mr.T.M.Pappiah
Special Government Pleader
for R1to R3.

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the 3rd respondent to consider the protest petition filed by the petitioners on 17.02.2020 and 19.02.2020 and for a further direction not to register any pending document, till final orders are passed in the protest petition.

2. The learned Special Government Pleader appearing on behalf of the respondents submitted that the 3rd respondent has already taken cognizance of the protest petition filed by the petitioners and that the parties will be called for an enquiry and till then, the document will not be registered and released. The learned counsel further submitted that the petitioners will be permitted to pursue the documents that have been presented for registration by the respondents 4 to 10, at the time of enquiry.

4. The learned counsel for the petitioner submitted that without going through the documents that were presented by the respondents 4 to 10, which are now pending before the 3rd respondent, the petitioner will not be able to make an effective protest before the 3rd respondent. Therefore, the learned counsel insisted that the petitioner must be given an opportunity to go through the documents before the enquiry and only thereafter, final orders should be passed by the 3rd respondent.

5. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the 3rd respondent to consider the protest petition filed by the petitioners on 17.02.2020 and 19.02.2020 and pass appropriate orders, on its own merits and in accordance with law, after giving an opportunity to the petitioner and the respondents 4 to 10 and further permit the petitioners to pursue the documents that have been presented for registration and pass final orders,

within a period of four weeks from the date of receipt of copy of this order.

6. This writ petition is disposed of with the above directions. No costs. Consequently, the connected miscellaneous petitions are closed.

rka

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

To

1. The Inspector General of Registration,
Santhome High Road,
Chennai 600 028.
2. The District Registrar,
(Administration),
Office of the District Registrar,
Coimbatore -641 018.
3. The Sub Registrar,
Office of the Sub Registrar Joint II
Raja Street,
Coimbatore - 641 003.

+1cc to Mr.K.Moorthy, Advocate SR.No.20744
+1cc to Government Pleader SR.No.21635

सत्यमेव जयते

W.P.NO.6093 of 2020

(CO)
GMY (28/05/2020)

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