

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2020

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.NO.14516 OF 2020

G.R.Shankar

... Petitioner

Vs.

1. The Secretary to Government,
Registration Department,
Secretariat, Chennai-9.
2. The Inspector General of Registration,
Santhome Office,
Chennai.
3. The District Registrar,
District Registrar Office,
Cuddalore District.
4. The Sub-Registrar,
Sub Registrar Office,
Joint-I, Thiruppapuliur,
Cuddalore District.
5. Mysore Venkataswamy Chettiar Trust,
Rep. By its Founder Trustee,
No.9A, Beach Road, Opp to Taluk Office,
Cuddalore Taluk, Cuddalore District.

6. Venkatesan Chettiar

... Respondents

Prayer:

Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 3rd and 4th respondents to consider the petitioner's representation dated 02.09.2020 to cancel the Mysore Venkatasamy Chetty Trust Deed No.34/2020 registered by the 4th respondent office.

For Petitioner : Mr.S.Senthil kumar

For Respondents: Mr.T.M.Pappiah R1 to R4
Special Government Pleader

O R D E R

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the 3rd and 4th respondents to consider the representation made by the petitioner on 02.09.2020 and to take action within the time fixed by this Court.

2. The case of the petitioner is that the subject properties belong to the great grandfather of the petitioner and the petitioner along with 36 other legal heirs have inherited the property. The further case of the petitioner is that a Succession O.P. Was also filed in Bengaluru City Civil Court and the order dated 18.11.2015 recognized the fact that there are 36 legal heirs for the deceased owner of the property.

3. The grievance of the petitioner is that the fifth respondent has misused and has executed a Trust deed with regard to the subject property and a representation was made by the petitioner on 15.08.2019 in this regard. Since the same was not considered, the present writ petition has been filed before this Court.

4. Heard Mr.S.Senthil Kumar, learned counsel appearing on behalf of the petitioner and Mr.T.M.Pappiah, learned Special Government Pleader appearing on behalf of the respondents 1 to 4.

5. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the 4th respondent to consider the representation made by the petitioner on 15.08.2019 and 02.09.2020 and deal with the same strictly under Section 83 of the Registration Act after affording opportunity to the parties and pass orders within a period of eight weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the 4th respondent along with all the relevant documents and also a copy of this order.

6. This Writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

rli

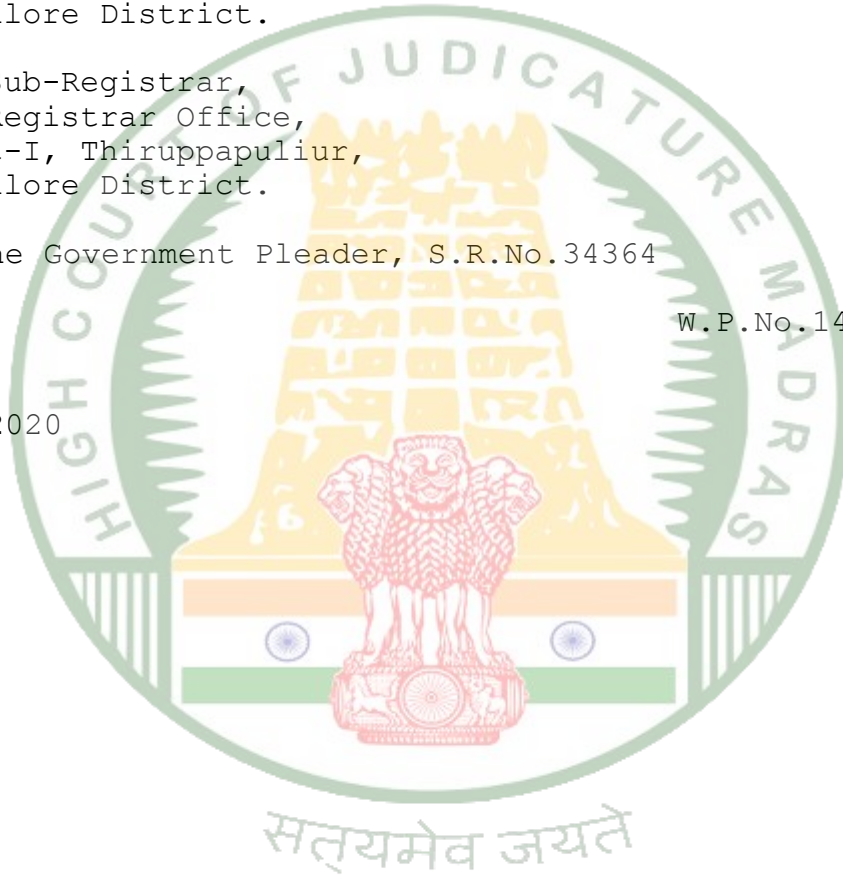
To

1. The Secretary to Government,
Registration Department,
Secretariat, Chennai-9.
2. The Inspector General of Registration,
Santhome Office,
Chennai.
3. The District Registrar,
District Registrar Office,
Cuddalore District.
4. The Sub-Registrar,
Sub Registrar Office,
Joint-I, Thiruppapuliur,
Cuddalore District.

+1cc to the Government Pleader, S.R.No.34364

W.P.No.14516 of 2020

AJS (CO)
CS/05/11/2020



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