



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 04.02.2020

CORAM

THE HONOURABLE MR. JUSTICE **S.S. SUNDAR**

W.P. (MD) No. 2127 of 2020

S. Mokkasamy

... Petitioner

vs.

1. The Inspector General of Registration,
Office of the Inspector General of Registration,
100, Santhome High Road, Chennai - 600 028.

2. The District Registrar (Admin),
Office of the District Registrar,
Dindigul District, Dindigul.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the first respondent to dispose of petitioner's appeal, dated 14.12.2015 preferred against the order of the second respondent, dated 02.11.2015 within the time limit that may be stipulated by this Court.

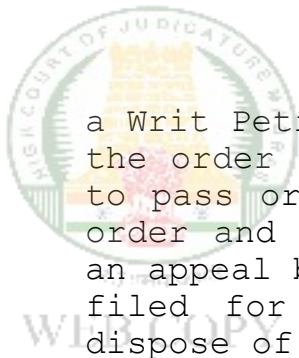
For Petitioner : Mr. G. Thalaimutharasu
For R1 and R2 : Mr. M. Murugan
Government Advocate

O R D E R

This Writ Petition is filed for issuing a Writ of Mandamus to direct the first respondent to dispose of petitioner's appeal, dated 14.12.2015 preferred against the order of the second respondent, dated 02.11.2015.

2. By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

3. The petitioner states that he has purchased the land measuring to an extent of 36 cents and 7 cents in S.Nos. 899 and 900/1A respectively in Batlagundu Village, Nilakottai Taluk, Dindigul District by an unregistered sale deed, dated 13.07.1989. It is stated that he executed two gift deeds and settlement deeds in favour of his wife in respect of the said land. It appears that a third party filed a petition for cancellation of gift deed before the second respondent. The second respondent passed an order, dated 02.11.2015 rejecting his request. Thereafter, the third party filed



a Writ Petition in W.P. (MD) No. 12982 of 2015 and this Court set aside the order of second respondent and directed the second respondent to pass order afresh. Thereafter, the second respondent passed an order and the said order is challenged by the petitioner by filing an appeal before the first respondent. The present Writ Petition is filed for a direction to the first respondent to consider and dispose of the said appeal.

4. Having regard to the limited scope of prayer sought by the petitioner in the Writ Petition, without going into merits of the petitioner's appeal, this Court is inclined to issue the following directions:

5. The first respondent is directed to consider the petitioner's appeal, dated 12.12.2015 and dispose of the same on merits and in accordance with law, after affording sufficient opportunity to the petitioner to make his further representation, within a period of twelve weeks from the date of receipt of a copy of this order."

6. With the above directions, this Writ Petition is allowed. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

To

1. The Inspector General of Registration,
Office of the Inspector General of Registration,
100, Santhome High Road, Chennai - 600 028.

2. The District Registrar (Admin),
Office of the District Registrar,
Dindigul District, Dindigul.

+1 CC to M/s. G. THALAIMUTHARASU, Advocate (SR-4747[F] dated 05/02/2020)

+1 CC to M/s. Special Govt. Pleader (SR-4757[F] dated 05/02/2020)

W.P. (MD) No. 2127 of 2020

04.02.2020

cmr

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