



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :02.12.2020

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **S.VAIDYANATHAN**

W.P (MD) No.17377 of 2020

Marichamy

... Petitioner

Vs.

1.The Inspector General of Registration,
11, Santhome High Road,
Santhome,
Chennai - 600 004.

2.The District Collector,
District Registrar Office,
Theni,
Theni District.

3.The District Registrar,
District Registrar Office,
Periyakulam,
Theni District.

4.The Sub Registrar,
Aundipatti,
Theni District.

5.The Tahsildar,
Taluk Office,
Aundipatti,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the third respondent to conduct the enquiry and dispose the representation of the petitioner dated 19.08.2020 within a reasonable time.

For Petitioner
For Respondents

: Mr.J.Senthil Kumar
: Mr.K.Sathya Singh
Additional Government Pleader



ORDER

This writ petition has been filed for issuance of a Writ of Mandamus to direct the third respondent to conduct the enquiry and dispose the representation of the petitioner dated 19.08.2020 within a reasonable time.

2. Heard the learned Counsel appearing for the petitioner and Mr.K.Sathya Singh, learned Additional Government Pleader, who took notice for the respondents. By consent, the writ petition is taken up for disposal at the admission stage itself.

3.The learned Counsel appearing for the petitioner submitted that after the demise of his father, the properties bearing Survey Nos.683-1, 684, 685, 686B/2, 686-3, 690, 691/1, 691/2 situated at Aundipatty Village, Theni District, are divided among his brothers and sisters but the boundaries are not allotted. Without the knowledge of the petitioner, his brother has given power to one Thangavel to sell the property in document No.789086678 dated 12.09.2020. The said Thangavel sold the property to several persons. Again the purchasers of the said Thangavel given power to one Kannan to sell the property. When the petitioner came to know about these facts, immediately he sent a representation dated 19.08.2020 to the respondents. Since the said representation was not considered by the respondents, the petitioner has come before this Court with this Writ Petition.

4. Considering the facts and circumstances of the case and without expressing any opinion on the merits of the matter, this Court is inclined to pass the following order:

"The third respondent is directed to consider the representation of the petitioner dated 19.08.2020 and pass orders in accordance with law, particularly, by taking note of Section 68(2) of the Registration Act, 1908, and thereafter, the concerned authority may invoke Section 83 of the said Act. The said exercise shall be done within a period of four months from the date of receipt of a copy of this order."

5.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (A.S)

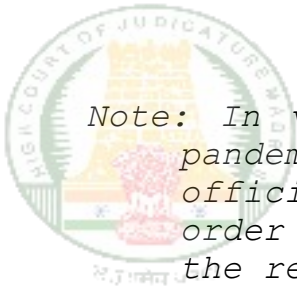
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/ /2020

Sub Assistant Registrar(CS)

PJL

<https://hcservices.ecourts.gov.in/hcservices/>



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

WEB COPY

To

- 1.The Inspector General of Registration,
11, Santhome High Road,
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- 5.The Tahsildar,
Taluk Office,
Aundipatti,
Theni District.

+2 CC to Mr.J.SENTHIL KUMAR, Advocate SR-23800.
+1 CC to the SPL GP SR-23875.

W.P (MD) No.17377 of 2020
02.12.2020

SJ(CO)
CS(17.12.2020) 3P 9C