



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :18.09.2020

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.4236 of 2018

Tamilselvi

... Petitioner

Vs

1.The Special Deputy Collector (Stamps),
District Collector Office,
Virudhunagar District.

2.The District Registrar,
Karaikudi,
Sivagangai District.

3.The Sub Registrar,
Sub Registrar Office,
Devakottai,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to consider petitioner representation dated 25.03.2016 and 26.07.2016 respectively and release petitioner's sale deed in respect of land situated in Sivagangai District, Devakottai Town & Taluk, Uthaiyanchi Group Ward K, Block 1 T.S.No.4/3-C having Survey No.1/55.

For Petitioner : Mr.A.Saravanan

For Respondents: Mr.K.Sathiya Singh
Additional Government Pleader

ORDER

This Writ Petition is filed to direct the respondents to release the petitioner's sale deed in respect of land in S.No.1/55 situated in Block 1 T.S.No.4/3-C, Uthaiyanchi Group Ward K, Devakottai Town & Taluk, Sivagangai District.



2. According to the petitioner, she purchased the petition mentioned property from one Sangaiah through a sale deed and the same was registered as Doc.No.1983/2015 on the file of the 3rd respondent. Though the petitioner has paid necessary stamp duty to the 3rd respondent to release the said sale deed document, the 3rd respondent had refused to release the same, for which, the petitioner made a representation dated 26.07.2016 to the respondents 1 and 2 seeking to release the said sale deed document and so far, no action has been taken. Hence, the present writ petition.

3. In reply, the learned Additional Government Pleader appearing for the respondents would submit that the petitioner's representation dated 26.07.2016 will be duly considered in accordance with Act, Rules and the Government Orders.

4. In view of the aforesaid facts and the submission of the learned Additional Government Pleader, this Court, without expressing any opinion on the merits of the case, is inclined to pass the following directions:-

i) the 3rd respondent/the Sub Registrar, Sub Registrar Office, Devakottai, Sivagangai District, is directed to issue notice to the petitioner to appear for enquiry;

ii) after conducting enquiry, the 3rd respondent is directed to consider the petitioner's representation dated 26.07.2016 and pass appropriate reasoned orders on merits and in accordance with law and the decision of the same shall be communicated to the petitioner;

iii) the aforesaid exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order;

5. With the above directions, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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.



To

1.The Special Deputy Collector (Stamps),
District Collector Office,
Virudhunagar District.

2.The District Registrar,
Karaikudi,
Sivagangai District.

3.The Sub Registrar,
Sub Registrar Office,
Devakottai,
Sivagangai District.

+1 CC to M/s.Special Govt.Pleader (SR-17511[F] dated 21/09/2020)

W.P. (MD) No.4236 of 2018
18.09.2020

mm

SDS (29.09.2020) 3P-5C