

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2021

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P. No.8656 of 2021

Paranjothi

... Petitioner

Vs

1.The District Registrar (East),
District Registrar Office,
27C, Ramasundaram Street,
Salem District.

2.The Sub Registrar,
Pethanaikenpalayam Registrar Office,
Salem District.

3.Subramani ... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to dispose the petitioner's appeal dated 15.03.2021 and pass an order to cancel the sale deed in Document Number D.No.729 of 2019 dated 08.03.2019.

For petitioner ... Mr.KA.Prabaharan

For respondents ... Mr.T.M.Pappiah,
Special Government Pleader
for R1 & R2

ORDER

This writ petition has been filed seeking a direction to the 1st respondent to consider the petitioner's Appeal dated 15.03.2021.

2. The grievance of the petitioner is that a civil suit in O.S.No.163 of 2008 for partition is pending between the parties before the Munsif Court, Attur. However, the 3rd respondent, who is the brother of the petitioner's husband, without their knowledge, has sold the undivided property to one Gopinath. Hence, the petitioner filed an appeal on 15.03.2021 before the first respondent to cancel the sale deed. Even though, enquiry was already completed on 29.03.2021, so far no order has been passed by the first respondent. Hence, the present writ petition has been filed.

3. I have heard the learned counsel appearing for the petitioner and the learned Special Government Pleader, who takes notice for the respondents 1 and 2.

4. Considering the facts and circumstances of the case and the limited prayer sought for in the writ petition, and also the fact that the petitioner's appeal, dated 15.03.2021 is pending with the first respondent, without going into the merits of the case, the first respondent is directed to consider the petitioner's representation dated 15.03.2021 and pass suitable orders on merits and in accordance with law after giving opportunity to the petitioner as well as other affected parties, within a period of eight (8) weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The District Registrar (East),
District Registrar Office,
27C, Ramasundaram Street,
Salem District.
- 2.The Sub Registrar,
Pethanaikenpalayam Registrar Office,
Salem District.

+1cc to Mr.S.Doraisamy, Advocate SR.NO..21871

+1cc to The Government Pleader SR.NO..22458

AKM/30.04.21/2P-5C/

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