



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2021

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.NO.16251 OF 2021

R.Balakrishnan

... Petitioner

.Vs.

1. The Administrative General and Official Trustee,
Madras High Court,
Chennai - 600 104.
2. The Sub-Registrar,
Thamaraipatti, Melur Taluk,
Madurai District.
3. The Inspector General of Registration,
100, Santhome High Road,
Pattinampakkam, Chennai - 600 028.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the first respondent to furnish the proceedings of CP No.73 of 2000 and details of the petitioner's property in survey No.22/3B Ayampatti Village Tharamaraipatti post, Melur Taluk, Madurai North, Madurai and consequently directing the second respondent to remove the encumbrances under attachment by considering the representation given by the petitioner dated 09.06.2021.

For Petitioner : Mr.A.Thiagarajan, Sr.C
For Ms.A.Vinupradha

For R2 & R3 : Mr.Stalin Abhimanyu
Government Counsel

O R D E R

Mr.Stalin Abhimanyu, learned Government Counsel takes notice for the respondents 2 & 3. With the consent of both sides, this writ petition is taken up for final disposal at the admission stage itself.



2. The relief sought in this writ petition is to issue a mandamus directing the first respondent to furnish the proceedings relating to CP No.73 of 2000 and the details of the petitioner's property in survey No.22/3B Ayampatti Village Tharamaraipatti post, Melur Taluk, Madurai North, Madurai and consequently directing the second respondent to remove the encumbrances under attachment by considering the representation given by the petitioner dated 09.06.2021.

3. According to the petitioner, he had purchased the subject property measuring to an extent of 6746 sq.ft from one P.N.Mohan, who was the Managing Director of M/s.Sterling Holiday Resorts India Limited, through his power agent M.Susai Mary, vide document bearing no.3964 of 2002 dated 26.08.2002. After purchase, he proposed to develop the said property, for which, he obtained encumbrance certificate, which revealed that the property was encumbered by the circular issued by the Inspector General of Registration vide 34051/C5/2016 dated 26.12.2016 as per the order passed in CP.No.73/2000 dated 11.02.2014. Except the order passed in the company petition, the petitioner has no details with regard to the proceedings of the company petition. Therefore, he submitted a representation dated 09.06.2021 to the first respondent requesting to furnish the details of further development after winding up the company viz., M/s.Sterling Holiday Resorts India Limited. However, the first respondent did not furnish any details, which compelled the petitioner to file this writ petition seeking appropriate direction in this regard.

4. Considering the facts and circumstances of the case and having regard to the submissions made by the learned senior counsel appearing for the petitioner and the learned Government counsel taking notice for the respondents 2 and 3, this court directs the first respondent to consider the petitioner's representation and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

5. This Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Administrative General and Official Trustee,
Madras High Court,
Chennai - 600 104.

2. The Sub-Registrar,
Thamaraipatti, Melur Taluk,
Madurai District.

3. The Inspector General of Registration,
100, Santhome High Road,
Pattinampakkam,
Chennai - 600 028.

+1cc to Ms.A.Vinupradha, Advocate, S.R.No.38672

W.P.NO.16251 OF 2021

JPL(CO)
PBS/24/09/2021