



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2022

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. No.3828 of 2022

P.Ammaiyappan

...Petitioner

Versus

1. The District Registrar,
O/o. the District Registrar,
Namakkal District,
Namakkal.

2. S.Ganthi

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 1st respondent to pass orders on the petitioner's representation dated 31.12.2021.

For Petitioner : Mr. P.Wesley Isaac

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

O R D E R

The present writ petition has been filed to direct the 1st respondent to pass orders on the petitioner's representation dated 31.12.2021.

2. Since, no adverse orders have been passed against the 2nd respondent, notice to the 2nd respondent is dispensed with.

3.The case of the petitioner is that the petitioner is the absolute owner of the property bearing S.No.195/1 and 195/3 to an extent of 3 acres at Vasanthapuram village, Namakkal Taluk and it was registered vide document No.139 of 1970, before the Sub-Registrar/1st respondent. While so, one Mr.S.Gandhi/ 2nd respondent had created a fake document No.759 of 1977 for the above said property. Therefore, the petitioner made a



representation before the 1st respondent to conduct an enquiry invoking Section 68(2) and Section 69 of the Registration Act. However, till date, no order was passed on the representation made by the petitioner. Aggrieved by the same, this Writ Petition has been filed.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice, if this Court issues direction to the 1st respondent to consider the petitioner's representation dated 31.12.2021 within the stipulated time as fixed by this Court.

5. The learned Special Government Pleader appearing for the respondents has no objection for the said order being passed.

6. Considering the facts and circumstances of the case and the limited request sought for by the petitioner, this Court directs the 1st respondent to consider the petitioner's representation dated 31.12.2021 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the aggrieved party, if any, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the aforesaid directions, this Writ Petition stands disposed of. No costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

nti/Anu
To

The District Registrar,
O/o. the District Registrar,
Namakkal District,
Namakkal.

+1 CC to Mr. P.Wesley Isaac, Advocate sr 12633.
+1 CC to The Government Pleader sr 13354

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JPII(CO)
SP(25/03/2022)