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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.26950 of 2013

and

M.P.No.1 of 2013

1. D.Mathiazhagan

2. D.S.Ravi @ Ravichandran

...Petitioners

Vs.

1. The Sub Registrar Joint-I
Office of Sub Registrar Joint - I
Venkata Sharma Road, Dharmapuri.

2. The District Registrar,
Office of District Registrar,
Dharmapuri.

3. The Deputy Inspector General of Registrar
Office of Deputy Inspector General of Registration,
Collectorate, Salem.

4. Vetrivendhan

5. K.Angappan

6. Balamurugan

...Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 3 to cancel the pending document 25/13 on the file of respondents 1 to 3 and to take appropriate legal actions against Respondents 4 to 6 under Sections 82 and 83 of the Registration Act.

For Petitioners : Mr.S.C.Vishwanth

For Respondents R1 to R3 : Mr.Yogesh Kannadasan

Special Government Pleader



O R D E R

The petitioner has filed this writ petition seeking for issuance of Writ of Mandamus, directing the respondents 1 to 3 to cancel the pending Document No.25/13 on the file of the respondents 1 to 3 and to take appropriate legal actions against respondents 4 to 6 under Sections 82 and 83 of the Registration Act.

2. It is the case of the petitioners that the property in S.No.317/1 measuring to an extent of 84 cents in Virupatchipuram Village, initially belonged to one Vijeyandrababu and Mohan Babu and the said lands have gone through the hands of many persons and finally stood conveyed in favour of the petitioners, who thereafter, alienated the same in favour of other persons and, thereafter, they are holding the power of attorney from the said persons.

3. It is the further case of the petitioners that the property had been under alienation by different persons at different points of time and in certain cases, the Arbitral Tribunal was even approached for the purpose of execution of the sale deed, which had also passed certain orders thereon. However, in the last of the said transaction, the 4th respondent, taking advantage of certain clause in the settlement entered, had presented the document for registration, which is pending as Document No.25/2013 before the District Registrar. Thereafter, the petitioners sent a legal notice to the respondents 1 to 3 to cancel the pending document in 25/2013, dated 28.08.2013 on which no orders have been passed till date, which resulted in the filing of the present petition.

4. Though very many grounds have been raised, learned counsel for the petitioners submitted that, it would suffice if this Court issues direction to the 1st respondent to conduct adjudication in between the petitioners and the private respondents herein and pass orders within the time stipulated by this Court.

5. Considering the limited relief sought for by the petitioner, this Court without going into the merits of the case directs the 1st respondent to conduct adjudication in between the petitioners and the private respondents and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.



6. This writ petition is accordingly disposed of. No costs.
Consequently, the connected miscellaneous petition is closed.

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s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

skt/dm

To

1. The Sub Registrar Joint-I
Office of Sub Registrar Joint - I
Venkata Sharma Road, Dharmapuri.
2. The District Registrar,
Office of District Registrar,
Dharmapuri.
3. The Deputy Inspector General of Registrar
Office of Deputy Inspector General of Registration,
Collectorate, Salem.

+1 CC to Mr.S.C.Vishwanth, Advocate sr 14707

+1 CC to The Special Government Pleader sr 15026.

W.P.No.26950 of 2013
and
M.P.No.1 of 2013

SKM(CO)
SP(08/04/2022)