



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2022

CORAM :

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. No.5522 of 2022

M.Elumalai

... Petitioner

Vs.

1. The Tahsildar,
Chengam Taluk Office,
Chengam,
Thiruvananthapuram District.

2. The Sub-Registrar,
Kadaladi Sub-Registration Office,
Kadaladi, Thiruvannamalai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to initiate appropriate action on the representation of the petitioner dated 24.01.2022 within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.S.Elumalai

For R1 : Mr.T.Chezhiyan
Additional Government Pleader

For R2 : Mr.Yogesh Kannadasan
Special Government Pleader

O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the 1st respondent to initiate appropriate action on the representation of the petitioner dated 24.01.2022 within the time frame that may be fixed by this Court.

2. The learned Special Government Pleader and the learned Additional Government Pleader takes notice for the official respondents. In view of the limited relief sought for in this petition and on the consent of the learned counsel appearing on either side, this petition is taken up for final disposal.



3. The case of the petitioner is that the petitioner purchased the properties in Survey Nos.483/1, 483/2 and 483/3 and the same are registered in Document No.318/2000, on the file of Sub Registrar Office, kadaladi Village, Thiruvannamalai District. When the petitioner decided to execute a Gift Deed in favour of his son, he came to know that the Survey Nos.482/1B, 483/3C are mistakenly entered in Depressed Clause Registrar and the Registrar specifically contains the entries of land allotted for Depressed Clause(SC/ST). The Sub Registrar also refused to entertain the document from the petitioner. Hence, the petitioner made a representation to the 1st respondent on 24.01.2022 to remove those entries in Depressed Clause Registrar. However, till date, no orders have been passed. Hence, this Writ Petition is filed with the above said prayer.

4. The learned counsel appearing on behalf of the petitioner submitted that the petitioner may be permitted to present the document before the jurisdictional Sub Registrar and if such document is filed, the Sub Registrar may be directed to pass appropriate orders on the merits of the case.

5. Considering the limited relief sought for by the petitioner, liberty is granted to the petitioner to present a document before the jurisdictional Sub-Registrar. On receipt of such document, Sub Registrar is directed to pass appropriate orders on merits and in accordance with law in terms of the Registration Act, after affording an opportunity of hearing to the petitioner and to the aggrieved parties, if any, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

Psa

To

1. The Tahsildar,
Chengam Taluk Office,
Chengam,
Thiruvannamalai District.



2. The Sub-Registrar,
Kadaladi Sub-Registration Office,
Kadaladi, Thiruvannamalai District.

+2ccs to Mr.S.Elumalai, Advocate, S.R.No.16615

+1cc to the Special Government Pleader, S.R.Nos.17419, 17061

W.P. No.5522 of 2022

SKM[co]
NSK 30/03/2022