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W.P.No.22111 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.22111 of 2016

B.M.Pandiaraj

... Petitioner

Vs.

1.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai – 600 028.

2.The District Registrar,
Registration Department, near SM Hospital,
Ooty – 643 001.

3.The Sub – Registrar,
Registration Department,
Ramchand,
Kotagiri – 643 217.

4.The Inspector of Police,
Kotagiri Police Station,
Kotagiri – 643 217.

5.The Branch Manager,
Axis Bank,
No.56, Bharathi Park,
2nd Cross Road,
Saibaba Colony,
Coimbatore – 641 011.

6.Shanthi

7.B.T.Jogaraj

... Respondents



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Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the petitioner representation dated 03.05.2016.

For Petitioner : M/s.Kanimozhi Mathi

For Respondents : Mr.G.Krishna Raja for R1 to R4
Additional Government Pleader
Mr.V.G.Suresh Kumar for R6 and R7

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents to consider the petitioner's representation dated 03.05.2016.

2.The case of the petitioner is that the seventh respondent is the brother of the petitioner in relation and according to the petitioner, the seventh respondent settled the joint family property in favour of his wife and hence, the petitioner made representation to the respondents 1 to 4 seeking to cancel the settlement deed and to take action against respondents 6 and 7 and since there was no response, has filed this writ petition.



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3.The learned counsel appearing for the petitioner submitted that this Court may issue direction to the respondents to consider the petitioner's representation dated 03.05.2016 and to pass appropriate orders, within a reasonable time frame.

4.The learned counsel appearing for the respondents 6 and 7 submitted that the seventh respondent settled only his share in the joint family property in favour of his wife and not the entire property and raised no serious objection for the petitioner to work out the remedy in the manner known to law.

5.The petitioner claim that the seventh respondent settled the joint family property in favour of his wife. The seventh respondent claim that he settled only his share in the joint family property in favour of his wife. However, the issue inbetween the petitioner and the seventh respondent is purely civil dispute, which can be ventilated only before the civil Court, instead, the petitioner has made representation before the Revenue Officials, which is not sustainable.



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6.In view of the above, this writ petition is dismissed with liberty to the petitioner to work out the remedy before the competent civil Court, in the manner known to law. No costs.

02.11.2022

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Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

To

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