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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.10538 of 2022

V.Kothandan

... Petitioner

Vs.

1.The Inspector General of Registration,
No.100, Santhom Highway,
Chennai, Tamil Nadu - 600 028.

2.The District Registrar,
Thandavaraya Nagar,
Kanchipuram - 631 601.

3.The Sub-Registrar,
Sriperumbudur Road,
Walajabad, Kancheepuram - 631 605.

... Respondents

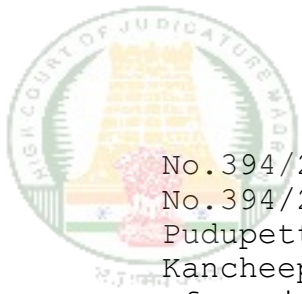
Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the third respondent herein to consider the petitioner representation dated 15.10.2021 made for the property in Survey No.394/2B1, 0.13 1/2 cents out of 0.46 acre and Survey No.394/2B3, 0.2 1/2 cents out of 0.11 acre, Patta No.458 Madura Pudupettai village, Ezhichur village, Kunrathur Taluk, Kancheepuram district by strictly complying with the provisions of existing law by the third respondent to register the settlement deed herein.

For petitioner : Mr.R.Thangamani

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

The petitioner has filed this petition seeking direction to the third respondent herein to consider the petitioner representation dated 15.10.2021 made for the property in Survey



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No.394/2B1, 0.13 1/2 cents out of 0.46 acre and Survey No.394/2B3, 0.2 1/2 cents out of 0.11 acre, Patta No.458 Madura Pudupettai village, Ezhichur village, Kunrathur Taluk, Kancheepuram district by strictly complying with the provisions of existing law by the third respondent to register the settlement deed herein.

2. Mr.Yogesh Kannadasan, learned Special Government Pleader takes notice for the respondents. In view of the limited relief sought for in this petition and on the consent expressed by 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 is the owner of the property in Survey No.394/2B1, 0.13 1/2 cents out of 0.46 acre and Survey No.394/2B3, 0.2 1/2 cents out of 0.11 acre, Patta No.458 Madura Pudupettai village, Ezhichur village, Kunrathur Taluk, Kancheepuram district. The petitioner had acquired the property by way of a Will dated 27.01.1998 executed by his father. The petitioner's father was died on 04.12.2003, after the demise of the petitioner's father, petitioner is in enjoyment of the property. Hence, the petitioner submitted a document for registering the Sale Deed in favour of his son before the third respondent on 15.10.2021. However, the said document was refused to be registered by the third respondent without any valid reason. Challenging the same, the present Writ Petition has been filed by the petitioner for the above relief.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court directs the third respondent to consider the petitioner's representation dated 15.10.2021 within the time frame that may be fixed by this Court.

5. The learned Special Government Pleader appearing for the respondents submits that the document presented by the petitioner dated 15.10.2021 will be entertained by the third respondent within the time frame that may be fixed by this Court.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the third respondent to entertain the document presented by the petitioner dated 15.10.2021, if it is otherwise in order and pass appropriate orders in terms of Registration Act within a period of six weeks from the date of receipt of a copy of this order, after affording an opportunity to the aggrieved persons.



7. Accordingly, this writ petition is disposed of with the aforesaid direction. No costs.

Sd/-

Assistant Registrar (CS-IV)

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//True Copy//

Sub Assistant Registrar

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To

1.The Inspector General of Registration,
No.100, Santhom Highway,
Chennai, Tamil Nadu - 600 028.

2.The District Registrar,
Thandavaraya Nagar,
Kanchipuram - 631 601.

3.The Sub-Registrar,
Sriperumbudur Road,
Walajabad, Kancheepuram - 631 605.

+lcc to Mr.R.Thangamani, Advocate, S.R.No.29251

+lcc to the Government Pleader, S.R.No.30897

W.P.No.10538 of 2022

KV(CO)
SB(19/05/2022)