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WP.No.38423 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2022

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

WP.No.38423 of 2016

Kanaga

.. Petitioner

Versus

1.The Joint II Sub Registrar
Thiruvathipuram
Tiruvannamalai District

2.K.Maharajan
3.P.Janakiraman
4.P.Sankar

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to register the document which is pending before the first respondent as P No.13 of 2015 dated 29.05.2015 and 3 of 2016 dated 28.01.2016 and to return the document to the petitioner after registration.

For Petitioner : Mr.C.M.Mohanasundaram
For Respondents : Mr.G.Krishnaraja R1
Additional Government Pleader
Mr.B.Jawahar for R2 - R4

ORDER

This writ petition is filed seeking to direct the first respondent to register the document pending before the first respondent as P Nos.13 of 2015 dated 29.05.2015 and 3 of 2016 dated 28.01.2016 and to return the document to the



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petitioner after registration.

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2. The case of the petitioner is that the petitioner purchased property of an extent of 0.04.05 Are (0.11 cents) situated at Keezh Pudupakam Village, Cheyyur Taluk, Tiruvannamalai District from the second respondent by virtue of sale deed in Doc.No.1551 of 2006 dated 28.06.2006. However, pursuant to the enquiry conducted by the Sub Collector, Cheyyur, the second and third respondents were directed to execute a rectification deed to rectify the error in S.No.130/4D instead of 130/4A. The respondents 2 and 3 executed rectification deeds which are pending as P Nos.13 of 2015 dated 29.05.2015 and 3 of 2016 dated 28.01.2016 on the file of the first respondent without registration. Hence, this petition.

3. The learned counsel for the petitioner submitted before this Court that it would suffice if the court directs the first respondent to register the document pending before the first respondent and consequently, return the document to the petitioner after registration.

4. The learned Additional Government Pleader submitted that already summons were issued to the petitioner and the private respondents. However,



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none came forward to appear in respect of the summons and submitted this Court that if the petitioner and the private respondents appear before the first respondent, the same will be considered within a reasonable time as fixed by this Court.

5. Considering the facts and circumstances of this case, this Court, without going into the merits of this case, directs the petitioner and the private respondents to appear before the first respondent in consonance with the summons and the first respondent is directed to pass appropriate orders, on merits and in accordance with law after providing opportunity of hearing to the petitioner as well as the respondents 2 to 5, within a period of six weeks from the date of receipt of a copy of this order.

6. In view of the above directions, this writ petition stands disposed of.

No costs.

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Index: Yes/No

Internet: Yes/No



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M. DHANDAPANI, J.

dhk

To

The Joint II Sub Registrar
Thiruvathipuram
Tiruvannamalai District

W.P.No.38423 of 2016

03.11.2022