



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :29.03.2022

WEB COPY

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. Nos.26155 and 26157 of 2021 and
W.M.P.No. 27608 of 2021

1.V.R.Natesan

2.Prathan U Talreja

... Petitioners
(In W.P.No.26155/2021)

Jai Ganesh

... Petitioner
(In W.P.No.26157/2021)

Vs.

1.The Sub Registrar Komangalam,
Office of Komangalam Registration,
Thiruppur.

2.Santhalingam

3.Jayachandran

... Respondents
(In both the W.Ps.)

(R2 and R3 impleaded vide order Dt.04.02.2022,
in W.M.P.534/2022 in WP.26155/2021
WMP.109/2022 in WP.26157/2021)

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to register and return the documents to the petitioner in Doc.No.P20, P21 and P22 of 2021 and Doc.No.P17, P18 and P19 of 2021 respectively, on the basis of the petitioners representation dated 24.11.2021 within a short time limit as directed by this Hon'ble Court.

For Petitioners : M/s.D.Krishnamurthy
(In both W.Ps.)

For R1 : Mr.R.Neelakandan
(In both W.Ps.) (Additional Advocate General)
Assisted by Mr.Yogesh Kannadasan
Special Government Pleader

For R2 and R3 : Mr.S.Parthasarathy (Senior Counsel)
(In both W.Ps.) for M/s Sarvabhauman Associates



COMMON ORDER

As the issue involved in both the Writ petitions, is one and the same, they are disposed of by way of this Common order.

WEB COPY

2. These Writ Petition has been filed seeking for issuance of a Writ of Mandamus, to direct the respondent to register and return the documents to the petitioners in Doc.No.P20, P21 and P22 of 2021 and Doc.No.P17, P18 and P19 of 2021, respectively, on the basis of the petitioners representation dated 24.11.2021 within a short time limit as directed by this Court.

3. The learned Additional Advocate General takes notice for the official respondent. In view of the limited relief sought for in these petitions and on the consent of the learned counsel appearing on either side, these petitions are taken up for final disposal.

4. Since, no adverse order is being passed as against the private respondents, notice to the private respondents is dispensed with.

5. The case of the petitioners is that, the petitioners have intended to purchase properties from one Ramathal family members through her Power Agent one Meenatchi Sundaram and 6 different Sale Deeds were executed and the same were presented before the first respondent for registration. However, till date the documents were not registered. Hence, this writ petition is filed with the above said prayer.

6. The learned counsel for the petitioner submitted that, though the petitioners have filed a protest petition before jurisdictional office, however, they came to know that the documents were present before the 1st respondent. Hence, he fairly submitted that, this Court may permit the petitioners to file a fresh protest petition before the 1st respondent herein and may direct the 1st respondent to consider the same and register the petitioners' pending documents within a reasonable time that may be fixed by this Court.

7. The learned Senior Counsel appearing on behalf of the impleading respondents submitted that, this Court may issue direction to the 1st respondent to adjudicate the matter after providing opportunity of hearing to the impleaded respondents, before registering the petitioners' pending documents.



8. The learned counsel appearing on behalf of the official respondent has no serious objection for the said order being passed.

9. Heard the arguments advanced by the learned counsel on either side.

10. In view of the above submissions, this Court, without going into the merits of the case, directs the 1st respondent to consider the petitioners' pending documents, on merits and pass appropriate orders in accordance with law, after providing an opportunity of hearing to the petitioners and to the private / impleaded respondents within a period of twelve weeks from the date of receipt of a copy of this order.

11. With the above direction, these Writ petitions are disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

Psa

To

The Sub Registrar Komangalam,
Office of Komangalam Registration,
Thiruppur.

+2cc to Mr.D.Krishnamurthy, Advocate SR.No.20935

+2cc to Mr.Sarvabhauman Associates, Advocate SR.No.21167, 21168

+1cc to the Government Pleader SR.No.21746, 21747

W.P. Nos.26155 and 26157 of 2021

AJS(CO)
GN(04/05/2022)