



W.P.No.28538 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2022

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.28538 of 2022

S.Kasi

...Petitioner

Vs.

1. The Inspector General of Registration,
Tamilnadu Registration Department,
No.100, Santhome High Road, Santhome,
Chennai-600 028.
2. The District Registrar,
Registration Department,
Dharmapuri District.
3. The Sub-Registrar,
Pappireddypatti Sub-Registrar Office,
Dharmapuri District-636 905.

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 11.07.2022 within a stipulated time that may be fixed by this Hon'ble Court.

For Petitioner : Ms.S.Sujatha

For Respondents : Mr.E.Vijay Anand,
Additional Government Pleader



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ORDER

The petitioner has filed this Writ petition seeking issuance of a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 11.07.2022 and dispose of the same.

2. The case of the petitioner is that the punja land comprised in S.No.27/2, measuring an extent of 0.52 acres, situated at Pudhupatti Village was originally owned by his grandfather namely, Thiruma Gounder and the said Thiruma Gounder executed a will in respect of the above said land in favour of the petitioner's father namely, Samiya Gounder. After the demise of the petitioner's father, the petitioner and his brother namely Chakkarai Gounder, being the only legal heirs of the said Samiya Gounder, are in absolute possession and enjoyment of the subject land and have also obtained patta in Patta No.177 in their favour. While so, as one Nagaraj tried to interfere with the petitioner's possession over the subject land, the petitioner and his brother filed a suit in O.S.No.13 of 2019 on the file of District Munsif Court, Pappireddypatti, against the said Nagaraj and an ex-



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parte decree came to be passed in the said suit in favour of the petitioner and his brother on 02.03.2021. Subsequently, the petitioner made a representation dated 11.07.2022 before the 2nd respondent, seeking to register the above said decree passed in O.S.No.13 of 2019, however, the 2nd respondent has orally refused to register the said decree. Aggrieved by the same, the present Writ petition is filed.

3. Though very many grounds have been raised, learned counsel for the petitioner submitted that, it would suffice if this Court issues direction to the respondents to consider the petitioner's representation dated 11.07.2022 and consequently registered the decree dated 02.03.2021 made in O.S.No.13 of 2019.

4. Learned Additional Government Pleader appearing for the respondents submitted that if any decree is presented by the petitioner for registration in the manner known to law, the same will be considered and appropriate orders will be passed within the time stipulated by this Court.

5. In view of the aforesaid submissions, this Court without expressing



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any opinion on the merits of the case, directs the petitioner to present the decree dated 02.03.2021 made in O.S.No.13 of 2019 on the file of the District Munsif Court, Pappireddypatti, for registration before the 3rd respondent within a period of four weeks from the date of receipt of a copy of the order, and if such decree is presented, the 3rd respondent shall consider and register the same, upon receipt of necessary charges and the said exercise shall be completed by the 3rd respondent within a period six weeks thereafter.

6. With the above directions, this Writ petition is disposed of. No costs.

14.11.2022

skt

Speaking Order : Yes/ No

Index : Yes/ No

To

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

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2. The District Registrar,
Registration Department,
Dharmapuri District.
3. The Sub-Registrar,
Pappireddypatti Sub-Registrar Office,
Dharmapuri District-636 905.

M.DHANDAPANI, J.

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