



WEB COPY



W.P.No.33017 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.33017 of 2022
and WMP.No.32436 of 2022

E.Purushothaman,
S/o.K.Elumalai Naicker

... Petitioner

-Vs-

1. The Inspector General of Registration,
I.G. Registration office,
100, Santhome Road,
Chennai – 600 028.

2. The District Registrar,
Joint I Sub Registrar Office,
South Chennai Registration District,
Saidapet, Chennai – 600 015.

3. T.Prabhavathy ... Respondents

Prayer : Writ Petitions under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 16.05.2022 in accordance with law and on merits within the time limit specified by this Court.

For Petitioner : Mr.A.M.Venkata Krishnan

For Respondents : Mr.P.Sathish
[R1 & R2] Additional Government Pleader



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ORDER

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The prayer sought for herein is for a writ of mandamus directing the respondents to consider the petitioner's representation dated 16.05.2022 in accordance with law and on merits within the time limit specified by this Court.

2. In respect of a document registered by the concerned Register Office pertaining to the property claimed to have been belongs to the petitioner to an extent of one cent in document No.366 of 2007, the petitioner had given a complaint against the third respondent before the second respondent under Section 77(A) of the Registration Act, 1908 [in short, 'the Act'] on 16.05.2022.

3. In order to consider the said complaint given by the petitioner and enquire the same, the petitioner has filed this writ petition with the aforestated prayer.

4. Heard Mr.A.M.Venkata Krishnan, learned counsel appearing for the petitioner and Mr.P.Sathish, learned Additional Government Pleader appearing for the respondents 1 and 2.



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5. The learned Additional Government Pleader appearing for the respondents 1 and 2 would submit that, since a complaint has been given by the petitioner on 16.05.2022 under Section 77A of the Act, certainly it would be considered and decided after giving an opportunity of being heard to the petitioner as well as the third respondent on merits and in accordance with law within a time frame that may be stipulated by this Court.

6. Having regard to the said stand taken by the learned Additional Government Pleader appearing for the respondents 1 and 2 and having regard to the aforesaid factual matrix as projected by both sides, this Court is inclined to dispose of this writ petition with the following order:

That there shall be a direction to the second respondent to decide the complaint given by the petitioner dated 16.05.2022 under Section 77A of the Act and decide the same on merits and in accordance with law after giving an opportunity of being heard to both the petitioner as well as the third respondent within a period of six(6) weeks from the date of receipt of a copy of this order.



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With this direction, this writ petition is disposed of. No costs.

08.12.2022

Index : Yes/No

Speaking Order : Yes/No

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To

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R. SURESH KUMAR, J.

mp

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