



WEB COPY



W.P.No.32494 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.32494 of 2022

K.Saravanan

... Petitioner

Vs

1.The Additional Inspector General of
Registration, Office of the Inspector
General of Registration,
Chennai – 600 028.

2.The District Registrar,
Ariyalur District – 621 704.

3.The Sub Registrar,
Andi Madam sub Registration Office,
Ariyalur District.

4.R.Sounder Rajan

5.V.Rangasamy

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 2nd respondent to consider the representation of the petitioner dated 21.11.2020.

For Petitioner : Mr.M.Devaraj



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For Respondents : Mrs.Akila Rajendran
Government Advocate for R1 to R3

: Notice dispensed with for R4 & R5

ORDER

The prayer sought for in this writ petition is for a Writ of Mandamus directing the 2nd respondent to consider the representation of the petitioner dated 21.11.2020.

2. In respect of a landed property, the petitioner claims that the land belongs to the petitioner as he inherited pursuant to the Court decree in O.S.No.106 of 1978 at Ariyalur District Munsif Court, by which, the property was bequeathed to the grandfather of the petitioner from whom he inherited the property and is enjoying the property.

3. When that being so, vide Document No.3068 of 2020 dated 21.10.2020 the 5th respondent registered the property in favour of the 4th respondent thereby a fraudulent sale has been registered by the concerned Sub Registrar Office i.e. the 3rd respondent.



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4. In order to cancel the said registration, therefore the petitioner has given a complaint-cum-representation on 21.11.2020 to the 2nd respondent /District Registrar however so far no action since has been taken on the said representation given by the petitioner, he has moved the present writ petition with the aforestated prayer.

5. Heard Mr.M.Devaraj, learned counsel appearing for the petitioner and Mrs.Akila Rajendran, learned Government Advocate appearing for respondents 1 to 3.

6. In view of the order going to be passed in this writ petition, notice to the respondents 4 and 5 is hereby dispensed with.

7. The learned Government Advocate appearing for respondents 1 to 3 would submit that, the petitioner's representation would be considered and decided of course after hearing both the petitioner as well as the respondents 4 and 5 within a time frame that may be stipulated by this Court.

8. Considering the said submission made by the learned Government



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Advocate for the respondents 1 to 3, having regard to the factual matrix of the case, this Court is inclined to dispose of this writ petition with the following orders:

That there shall be a direction to the 2nd respondent to consider the representation of the petitioner dated 21.11.2020 and pass orders thereon on merits and in accordance with law after giving an opportunity of being heard to both the petitioner as well as the private respondents within a period of six weeks from the date of receipt of a copy of this order.

9. With this direction, this Writ Petition is disposed of. No costs.

05.12.2022

Index : Yes / No

Speaking Order : Yes / No

Sgl



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R. SURESH KUMAR, J.

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