



WEB COPY



W.P.No.33281 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.33281 of 2022

Mrs.Mallika

... Petitioner

-Vs-

District Registrar,
Thiruvallur District,
Thiruvallur.

... Respondent

Prayer : Writ Petitions under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondent to pass orders on the representation dated 07.10.2022 filed under Section 68(2) of Registration Act.

For Petitioner : Mr. C.Balasundar

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

The prayer sought for in this writ petition is for a writ of mandamus directing the respondent to pass orders on the representation dated 07.10.2022 filed under Section 68(2) of Registration Act, 1908[in short, 'the Act'].



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2. In respect of the property at Kizh Mudhalampedu Village in S.No.385/8B, it is a claim of the petitioner that, it is a property of the petitioner, which has been encumbered by some third parties fraudulently. Therefore, in order to enquire the matter and to cancel the said documents, the petitioner had given a complaint/representation dated 07.10.2022 to the respondent and in order to enquire the same and decide the matter at the earliest on merits, the petitioner has moved the present writ petition.

3. Heard Mr.C.Balasundar, learned counsel appearing for the petitioner and Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for the respondent.

4. Learned Government Pleader appearing for the respondent would contend that even though it was claimed by the petitioner that it was a complaint/representation to the respondent under Section 68(2) of the Act, in the nature of the complaint, it shall be treated under Section 77-A of the Act and accordingly, it would be enquired and decided by the respondent on merits and in accordance with law at the earliest time that



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may be stipulated by this Court.

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5. Considering the said submission made by the learned counsel appearing for both sides and having regard to the aforesaid factual matrix of the case, this Court is inclined to dispose of this writ petition with the following order:

That there shall be a direction to the respondent to consider the said complaint/representation dated 07.10.2022 of the petitioner and decide the same on merits and in accordance with law within the meaning of Section 77-A of the Act, after giving an opportunity of being heard to the petitioner as well as the third parties against whom such complaint has been made by the petitioner within a period of six(6) weeks from the date of receipt of a copy of this order.

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

12.12.2022

Index : Yes/No
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R. SURESH KUMAR, J.

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To

District Registrar,
Thiruvallur District,
Thiruvallur.

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