



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.2462 of 2022

Ayathulla Komani

... Petitioner

Vs.

1.The District Registrar (Admin)
Registration Sub-Registrar Office,
Kadayam,
Tenkasi District.

2.The Sub-Registrar,
Kadayam Sub-Registrar Office,
Kadayam,
Tenkasi District.

3.Syed Majidkhan

4.Seinam Fathima

5.Mohammed Thareek

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to dispose of the proceedings initiated under Section 68(2) of Tamil Nadu Registration Act, 1908, vide Na.Ka.No.3420/A2/2021 dated 01.09.2021 within the period that may be stipulated by this Court.

For Petitioner : Mr.R.Gandhi

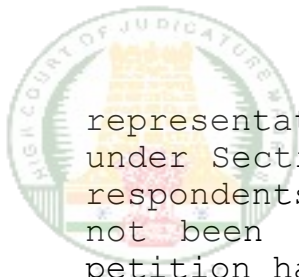
For R1 and R2 : Mr.S.Shanmugavel

Additional Government Pleader

O R D E R

This writ petition has been filed seeking for a Mandamus to dispose of the petitioner's application filed under Section 68(2) of the Tamil Nadu Registration Act, 1908, within the time frame to be fixed by this Court.

2.The petitioner has submitted a petition on 24.08.2021 under Section 68(2) of the Tamil Nadu Registration Act, 1908, before the first respondent, against the respondents 3 to 5, who according to the petitioner, have obtained a fraudulent settlement deed, dated 11.02.2021 and 16.04.2021. Therefore, the petitioner seeks cancellation of the aforementioned documents. He has also given a



representation dated 09.09.2021, with regard to his petition filed under Section 68(2) of the Tamil Nadu Registration Act, 1908, to the respondents and his grievance is that the said representation has not been considered till date. In such circumstances, this writ petition has been filed.

WEB COPY

3. Heard Mr.R.Gandhi, learned counsel for the petitioner and Mr.S.Shanmugavel, learned Additional Government Pleader, who accepts notice on behalf of the first and second respondents.

4. On instructions, learned Additional Government Pleader for the first and second respondents, would submit that an enquiry on the petitioner's petition filed under Section 68(2) of the Tamil Nadu Registration Act, 1908 has already been commenced and the respondents 1 and 2 shall pass appropriate orders on merits and in accordance with law in the said petition, after hearing the necessary parties including the respondents 3 to 5, within a period of twelve weeks from the date of receipt of a copy of this order. The said submission is also recorded by this Court.

5. After hearing the submission made by the respective counsels, no prejudice would be caused if the petitioner's representation is considered on merits and in accordance with law. This Court directs the first and second respondents to dispose of the petitioner's application filed under Section 68(2) of the Tamil Nadu Registration Act, 1908, dated 01.09.2021 and pass appropriate orders on merits and in accordance with law, after hearing all the necessary parties including the respondents 3 to 5, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Ns

To

1. The District Registrar (Admin)
Registration Sub-Registrar Office,
Kadayam,
Tenkasi District.



2.The Sub-Registrar,
Kadayam Sub-Registrar Office,
Kadayam,
Tenkasi District.

+1 CC to M/s.SPL GP (SR-4820[F] dated 08/02/2022)

+1 CC to M/s.R.GANDHI, Advocate (SR-4613[F] dated 07/02/2022)

ORDER MADE IN
W.P. [MD]No.2462 of 2022
07.02.2022

PK(CO)
TR(21.02.2022) 3P 5C