



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.02.2022

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THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P (MD) .No.2830 of 2022

AL.AR.SM.Narayanan Somanathan Chettiar.

.. Petitioner

Vs.

1.The District Registrar,
Office of the District Registrar,
Thanjavur District Registration Office,
Thanjavur.

2.The Joint Sub Registrar No.1,
Office of the Joint Sub Registrar No.1,
Thanjavur.

3.C.RM.Chidambaram Chettiar.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the 1st and 2nd Respondents to dispose of the petitioner's representation dated 10.01.2022 in accordance with law, within the time stipulated by this Court.

For Petitioner : Mr.B.Jameel Arasu

For Respondents : Mr.S.Shanmugavel for R1 and R2
Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking a direction to the first and second respondents to pass orders on the petitioner's representation dated 10.01.2022, seeking for cancellation of an agreement of sale dated 23.01.2013, in which the third respondent is the seller, as according to the petitioner, the said agreement of sale has been executed fraudulently. Since the representation has not been considered till date by the first and second respondents, the petitioner has filed this writ petition.

2.Heard Mr.B.Jameel Arasu, learned counsel appearing for the petitioner and Mr.S.Shanmugavel, learned Additional Government Pleader appearing for the respondents 1 and 2.



3.By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

4.According to the petitioner, he is the absolute owner of the property, which is described in the schedule to the registered agreement of the sale dated 23.01.2013, in which the third respondent is the seller. According to him, a fraudulent sale agreement has been entered into on 23.01.2013. Therefore, he seeks for cancellation of the same under his representation dated 10.01.2022 to the first and second respondents.

5.No prejudice will be caused to the respondents, if the petitioner's representation is considered on merits and in accordance with law, after affording a fair hearing to the petitioner as well as the third respondent and other parties if any.

6.Therefore, this Court directs the first and second respondents to consider the petitioner's representation, dated 10.01.2022, seeking for cancellation of the agreement of sale dated 23.01.2013, entered into by the third respondent in respect of the property, which the petitioner claims to be the owner and pass final orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7.With the aforesaid directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TM

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The District Registrar,
Office of the District Registrar,
Thanjavur District Registration Office,
Thanjavur.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Joint Sub Registrar No.1,
Office of the Joint Sub Registrar No.1,
Thanjavur.

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11.02.2022**

VR (CO)
TR(21.02.2022) 3P 3C