



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.4527 of 2022

J.Nagendran

... Petitioner

Vs.

1.The District Registrar,
Ramanathapuram.

2.The Sub Registrar,
Kamudhi,
Ramanathapuram District.

3.Ponraj Chettiyar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to pass orders on the petitioner's petition dated 20.10.2021 which is pending on the file of the first respondent within a stipulated period fixed by this Court.

For Petitioner : Mr.K.Chengiz Khan

For Respondents 1&2 : Mr.S.Shanmugavel

Additional Government Pleader

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the first respondent to pass orders on the petitioner's petition dated 20.10.2021, seeking for cancellation of the alleged fraudulent settlement deed dated 09.03.2021 and pass final orders within a time frame to be fixed by this Court.

2.The case of the petitioner is that fraudulently a settlement deed dated 09.03.2021 has been registered as Document No.329 of 2021, in favour of the third respondent. The petitioner seeks for cancellation of the said document and he has given a representation on 20.10.2021 to the first respondent for the said purpose. Since the said representation has not been considered till date, the petitioner has filed this writ petition.

3.Heard Mr.K.Chengiz Khan, learned Counsel appearing for the petitioner and Mr.S.Shanmugavel, learned Additional Government Pleader who accepts notice on behalf of the respondents 1 and 2.



4. On instructions, learned Additional Government Pleader appearing for respondents 1 and 2 would submit that enquiry in the petitioner's representation has already commenced. Hence, if a direction is issued by this Court to pass final orders on the petitioner's representation, final order will be passed in accordance with the said direction.

5. Accordingly, this Court directs the first respondent to consider the petitioner's representation dated 20.10.2021 seeking for cancellation of the settlement deed dated 09.03.2021 registered as Document No.329 of 2021, on the ground that the said document is a fraudulent document and pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner and the third respondent as well as any other necessary party whom the first respondent deems fit to enquire within a period of twelve [12] weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar(P & A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

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,
Ramanathapuram.

2. The Sub Registrar,
Kamudhi, Ramanathapuram District.

+1 CC to M/s.SPL GP (SR-12520[F] dated 16/03/2022)

ORDER MADE IN

W.P. [MD]No.4527 of 2022

15.03.2022

ss (CO)

TP (28.03.2022) 2P C4

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