



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.4721 of 2022

V.Ramasamy

.. Petitioner

Vs

1.The District Registrar,
Pudukottai District,
Pudukottai.

2.The Sub Registrar,
Kulathur Taluk,
Kulathur Sub Registrar Officer,
Kulathur.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st Respondent to consider the petitioner's Representation, dated 11.02.2022 and pass appropriate orders in accordance with law within a time stipulated by this Court.

For Petitioner : Mr.N.Anandakumar

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the second respondent to consider the petitioner's representation, dated 11.02.2022, requesting the second respondent to register the settlement deed presented by the petitioner for registration and pass final orders on merits and in accordance with law, within a time frame to be fixed by this Court.

2.It is the case of the petitioner that he is the absolute owner of the property comprised in S.Nos.344/3B and 315/16, measuring an extent of 0.37 cents and 0.08 cents respectively at Mandaiyur Village, Pudukottai District, having purchased the same under the sale deed, dated 15.02.2012, registered as document No.896/2012. It is also the contention of the petitioner that subsequent to the purchase, he has also obtained patta in his name. However, according to the petitioner, the second respondent has refused to register the settlement deed presented by him in favour of his son on the ground that there is an objection raised by a third party for registration. No final orders have been passed till



date. The petitioner has also given a representation on 11.02.2022, requesting the second respondent to register the sale deed. Since the representation has not been considered till date, he has filed this writ petition.

3. Heard Mr.N.Anandakumar, learned counsel appearing for the petitioner and Mr.S.Shanmugavel, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

4. The learned Additional Government Pleader on instructions, would submit that only due to the fact that a protest petition has been filed requesting the second respondent not to register any document, the second respondent till date not registered the document presented by the petitioner for registration.

5. This Court is of the considered view that no prejudice will be caused to the respondent or any other party, if the petitioner's representation, dated 11.02.2022, requesting the second respondent to register the settlement deed presented by the petitioner for registration is considered on merits and in accordance with law, after affording a fair hearing to the petitioner and any other rival claimant or any other person who opposes the registration, whom the second respondent deems fit to enquire.

6. Accordingly, this Court directs the second respondent to consider the petitioner's representation, dated 11.02.2022, requesting the second respondent to register the settlement deed presented by him for registration and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner, including granting him the right of personal hearing and also affording a fair hearing to any other party, whom the second respondent deems fit to enquire, including the party, who has filed the protest petition, within a period of three months 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/-

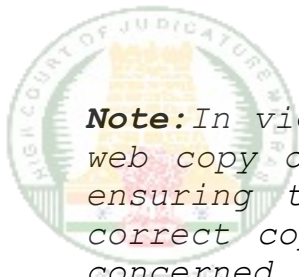
Assistant Registrar (CS-I)

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/ /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.

WEB COPY

To

- 1.The District Registrar,
Pudukottai District,
Pudukottai.
- 2.The Sub Registrar,
Kulathur Taluk,
Kulathur Sub Registrar Officer,
Kulathur.

+1 CC to M/s.SPL GP (SR-12983[F] dated 18/03/2022)

W.P. (MD)No.4721 of 2022
17.03.2022

RD(28.03.2022) 3P 4C