



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.03.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.5522 of 2022

Rasammal

... Petitioner

/Vs./

1.The District Registrar,
Office of District Registrar,
Trichy & District.

2.The Sub Registrar,
Manapparai S.R.O.,
Trichy District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to conduct appropriate enquiry on petitioner's representation dated 04.02.2022 and to pass appropriate order within stipulated time fixed by this Court.

For Petitioner : Mr.A.Thiyagarajan
For Respondents : Mr.J.John Rajadurai
Government Advocate

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the first respondent to consider the petitioner's representation dated 04.02.2022, seeking for cancellation of the sale deed dated 15.09.2021 executed by the legal heir of one Duraisamy and the sale deed dated 03.02.2022 executed by one Chellammal, within a time frame to be fixed by this Court.

2.According to the petitioner, based on a fabricated legal heirship certificate, the aforementioned sale deeds have been executed and registered. In such circumstances, the petitioner has given the representation dated 04.02.2022 requesting for cancellation of the aforementioned sale deeds. Since the said representation has not been considered till date, the petitioner has filed this writ petition.

3.Heard Mr.A.Thiyagarajan, learned Counsel for the writ petitioner and Mr.J.John Rajadurai, learned Government Advocate, who accepts notice on behalf of the respondents.

4.The petitioner has filed documents along with this writ petition, which includes the legal heirship certificate, based on which, the aforementioned sale deeds were executed. The sale deeds have also been filed as documents along with this writ petition. It is for the first respondent to consider the representation on merits



and in accordance with law.

5.No prejudice would be caused to the first respondent, if the representation of the petitioner is considered on merits and in accordance with law, after affording a fair hearing to the petitioner as well as to the parties in whose favour, the aforementioned two sale deeds have been executed and any other necessary party, whom the first respondent deems fit to enquire.

6.Accordingly, this Court directs the first respondent to consider the representation of the petitioner dated 04.02.2022 requesting the first respondent to cancel the sale deed dated 15.09.2021 executed by the legal heir of Duraisamy and the sale deed dated 03.02.2022 executed by one Chellammal, and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner as well as to the parties in whose favour, the aforementioned two sale deeds have been executed and 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.

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

Sd/-

Assistant Registrar (Writs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sm

To

1.The District Registrar,
Office of District Registrar,
Trichy & District.

2.The Sub Registrar,
Manapparai S.R.O.,
Trichy District.

+1 CC to M/s.SPL GP (SR-15353[F] dated 30/03/2022)

W.P. [MD]No.5522 of 2022

Dated:

29.03.2022

RK(08/04/2022) 2P 4C