



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.8726 of 2022

A.K.Sathasivam

... Petitioner

vs.

1.The District Registrar,
Registration Department, Tenkasi District, Tenkasi.

2.The Sub Registrar, Veerasigamani, Tenkasi District.
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 1st respondent to consider the petitioner's representation dated 30.07.2021 and to direct the 2nd respondent to remove encumbrance in petitioner's properties in S.Nos.75/1A, 75/1C, 76/1, 76/4, 89/2, 90/2 and 91/1 situated at Naduvakkurichi Minor revenue Village, Sankarankoil Taluk, Tenkasi District within a period stipulated by this Court.

For Petitioner :Mr.M.Mohamed Sherbudeen

For Respondents :Mr.J.John Rajadurai
Government Advocate

O R D E R

This Writ Petition has been filed for a limited relief. The petitioner seeks for consideration of his representation, dated 30.07.2021 to remove the encumbrance in his properties mentioned in the prayer column.

2.According to the petitioner, he had purchased the aforementioned properties. But the respondents are not permitting further registration. In such circumstances, he has given a representation on 30.07.2021 for the said purpose. Since, the said representation has not been considered till date, he has filed this Writ Petition.

3.Heard Mr.M.Mohamed Sherbudeen, learned Counsel for the petitioner and Mr.J.John Rajadurai, learned Government Advocate, who accepts notice on behalf of the respondents.

4.The learned Government Advocate, on instructions, would submit that registration of the aforementioned properties is barred in view of the Lodha Committee's report. However, the learned Counsel for the petitioner disputes the same.



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 and any other necessary party whom the first respondent deems fit to enquire.

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6.For the foregoing reasons, this Court directs the first respondent to consider the petitioner's representation, dated 30.07.2021 seeking for removal of encumbrance in his properties comprised in S.Nos.75/1A, 75/1C, 76/1, 76/4, 89/2, 90/2 and 91/1 situated at Naduvakkurichi Minor revenue Village, Sankarankoil Taluk, Tenkasi District, and pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner and any other necessary party whom the first respondent deems fit to enquire 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 (A.D.I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

cmr

To

1.The District Registrar,
Registration Department, Tenkasi District, Tenkasi.

2.The Sub Registrar, Veerasigamani, Tenkasi District.

+1 CC to M/s.SPL.GP (SR-23305[F] dated 04/05/2022)

W.P. (MD)No.8726 of 2022

29.04.2022

RD(24.05.2022) 2P 4C