



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 16.09.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.21985 of 2022

Paul

..Petitioner

Vs

1.The Inspector General,
Registration Department,
NO.100, Santhome High Road,
Chennai-8.

2.The District Registrar,
The District Registrar Office,
S.L.B.Southern Road,
Nagercoil,
Kanyakumari District.

3.The Sub-Registrar,
The Sub-Registrar Office,
Vadasery, Nagercoil,
Kanyakumari District.

4.Giftson Devis

5.Baby @ Manju

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the second respondent to conduct and complete the enquiry in his proceedings No. 4957/Aa1/2021, dated: .09.2022 within the stipulated time fixed by this Court.

For Petitioner :Mr.C.Saravanakumar



For Respondents: Mr.S.R.A.Ramachandran
1 to 3 Addl. Government Pleader

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ORDER

The Petitioner has prayed for issuance of a Writ of Mandamus directing the second respondent to conduct and complete the enquiry in his proceedings No.4957/Aa1/2021, dated:.....09.2022 within the stipulated time fixed by this Court.

2.Mr.S.R.A.Ramachandran, learned Additional Government Pleader takes notice for the respondents 1 to 3. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.The case of the Petitioner is that property in Old S.No.1970 and new S.No.E1/82, measuring an extent of 15 cents of vacant land and house property situated in Vadasery village, Agastheeswaram Taluk, Kanyakumari District belongs to the Petitioner's grand-mother Gnanammal. After her demise, the Petitioner's mother inherited the property. The house in the property in question was rented out to the father of the fourth respondent namely William Perinbadoss and the Petitioner's grand-mother received the rent from him. After her demise the Petitioner's mother received the rent and then by the Petitioner. While so the Petitioner went to Sulthanpet Church, Krishnagiri District for



of the Petitioner get affected, the Petitioner requested the fourth respondent to vacate the house, for which, an evasive reply was given by the fourth respondent. Therefore, the Petitioner applied for encumbrance. To his shock and surprise, the Petitioner came to know that the fourth respondent's father William Perinbadoss had executed a registered gift deed, dated 7.1.1981 vide Document No.24 of 1981 in the third respondent's Office in favour of the fourth respondent's mother Chandra Roselin by impersonation, as if he is the son of Petitioner's grand mother Gnanammal. In turn, fourth respondent's mother Chandra Roselin had executed a registered Settlement Deed, dated 17.10.2016 vide document No.1918 in the third respondent Office in favour of the fourth respondent. Hence the Petitioner has submitted a representation, dated 27.8.2021 to the first respondent which was forwarded to the second respondent and taken on file in No.4957/U4/2021, dated ...09.2021, who had issued a notice to the Petitioner for an enquiry on 11.10.2021 at about 11.45 a.m before him. The Petitioner appeared before the second respondent with relevant documents and submitted written statement, but till date, no further steps having been taken to conclude the enquiry. Hence the Petitioner has come forward with the present Writ Petition for the relief stated supra.

4. The learned Additional Government Pleader appearing for the

respondents 1 to 3 submitted that the second respondent is ready to



complete the enquiry as prayed for by the Petitioner, within the time fixed by this Court.

5.In view of the above submission, this Court directs the second respondent to complete the enquiry in File No.4957/U4/2021, dated ... 09.2021 in respect of the Petitioner representation/complaint, dated 27.08.2021 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the parties concerned, within a period 8 weeks from the date of receipt of a copy of this order.

6.With the above direction, the Writ Petition stands disposed of. NO costs.

16.09.2022

Index : Yes/No

Internet:Yes/No

vsn

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V.BHAVANI SUBBAROYAN,J

vsn

ORDER MADE IN

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