



W.P.(MD).No.21993 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2022

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.(MD)No.21993 of 2022

Karuppasamy

... Petitioner

vs.

1.The Deputy Inspector General of Registration,
Tamil Nadu Agricultural University Nagar,
Rajagambiram, Y.Othakadi,
Madurai-625 107.

2.The District Registration Officer,
District Registration Office,
Virudhunagar District.

... Respondents

PRAYER:- Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to dispose the appeal filed by the petitioner dated 09.06.2022 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.D.Selvanayagam

For Respondents : Mr.K.S.Selvaganesan

Additional Government Pleader



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ORDER

This writ petition has been filed for issuance of a Writ of Mandamus directing the first respondent to dispose of the appeal filed by the petitioner, dated 09.06.2022.

2. The case of the petitioner is that his father purchased the land in Survey Nos.720, 721/2C, 721/2B to an extent of 5 acres 28 cents and registered the same in his elder brother's name in Document No. 100/1993. Since it will lead to the dispute, his father wrote a summon on 04.12.1993, stating that the said property belongs to all male heirs and from that date, the property was in possession and enjoyment with the petitioner and his brothers. Based on which, they have registered the said property to their wives name as dhana Settlement. As of now, they came to know that their elder most brother had fraudulently executed a sale deed on 27.05.2008 to one Radhakrishnan and his son viz., Navaneethakrishnan has filed a suit in O.S.No.77 of 2021 before the Additional District Court, Srivilliputhur, Virudhunagar District to cancel



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the dhana settlement deed. When the said suit was pending, he has also filed a petition before the second respondent to cancel the dhana settlement, which was registered to their wives. But the second respondent, without conducting property enquiry, passed an order dated 04.05.2022, in favour of Navaneethakrishnan, to cancel the settlement deed. Aggrieved over the same, the petitioner has filed an appeal before the first respondent on 09.06.2022. But till date the same was not disposed of by the first respondent. Hence, the petitioner has filed the present writ petition.

3. The learned counsel appearing for the petitioner would submit that it would suffice if a direction is issued to the first respondent to dispose of the appeal filed by the petitioner, dated 09.06.2022.

4. In the light of the submission made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the first respondent to dispose of the appeal filed by the petitioner, dated 09.06.2022, on merits and in accordance with law, within a period



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of twelve weeks from the date of receipt of a copy of this order.

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5. With the above direction, this Writ Petition is disposed of. No costs.

30.09.2022

Index: Yes/No
Internet: Yes/No

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To

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V.BHAVANI SUBBAROYAN,J.

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