



W.P.(MD)No.22929 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.09.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.22929 of 2022

R.Murugesan

... Petitioner

Vs

1. The Deputy Inspector General of Registration
Combined Registration Office
Rajakambeeram, Y.Othakadai
Madurai

2. C.Dhanabalan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to dispose the petitioner's appeal dated 29.04.2022 on merits and in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Shankar Ganesh
For R1 :Mr.K.S.Selvaganesan
Additional Government Pleader

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing the first respondent to dispose the petitioner's appeal dated 29.04.2022 on merits and in accordance with law within the time stipulated by this Court.



W.P.(MD)No.22929 of 2022

2.Heard Mr.R.Shankar Ganesh, learned counsel appearing for the petitioner and Mr.K.S.Selvaganesan, learned Additional Government Pleader, who takes notice for the first respondent. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.Having regard to the nature of the order proposed to be passed in this Writ Petition, notice to the second respondent is dispensed with.

4.The learned counsel for the petitioner submits that the petitioner is aged about 65 years and his wife name is Lalithamani and due to difference of opinion the petitioner and his wife are living separately. In order to take treatment for his illness the petitioner decided to sell the property in Door No. 5/7B,weavers colony, Ondipudur. When he attempted to sell the property, his wife made hindrance and made complaint to the Singanallur Police Station,where they compromised and advised the petitioner to give half of sale proceeds to his wife while selling the house. Thereafter the petitioner went to K.K.Patti, Uthamapalayam, Theni District to collect all the document which were with his wife. While so, the petitioner approached Mr. C.Dhanapalan advocate seeking legal assistance to sell the house property in Coimbatore, for which he had stated that he will sell the property and for that the petitioner



W.P.(MD)No.22929 of 2022

should execute a power deed in favour of the said advocate. The petitioner

informed him that the original documents are with his wife for which the second respondent took him to the Tallakulam police station, Madurai and asked him to complaint as though the originals are lost by suppressing the truth and got a non traceable certificate. Thereafter the second respondent told that he will sell the property and also will give monthly Rs.10000/- towards medical expenses for the petitioner. Believing the words, the petitioner also accepted the same. When the second respondent tried to register the document in Singanallur Sub Registrar Office, the petitioner came to know that his wife on 03.09.2020 gave paper publication in Makkal Kural and also filed a civil suit in O.S.No.850 of 2020 on the file of the District Munsif Court, Coimbatore and also submitted an objection petition to the Sub Registrar, Singanallur on 03.11.2020, hence the document has not been registered. But the said counsel had obtained a sale deed in respect of the house property and on coming to know about the same, the petitioner has filed a petition before the District Registrar, Madurai to cancel the sale deed dated 23.12.2020 and the same was dismissed by order dated 03.03.2021. Aggrieved by the same, the petitioner preferred an appeal before the first respondent in appeal No.3883/2022 and the same was pending for consideration since since 29.04.2022. In the meanwhile, the second respondent is trying to change the revenue records and trying to get



W.P.(MD)No.22929 of 2022

electricity connection in his name. Though the petitioner expressed the urgency in the matter, the first respondent has not taken effective steps to dispose of the appeal. Hence, the petitioner has approached this Court by way of filing the present Writ Petition for the relief stated supra.

5.The learned Additional Government Pleader appearing for the first respondent would submit that considering the age and urgency the petitioner's appeal will be disposed of as expeditiously as possible preferably within the time stipulated by this Court.

6.In view of the above submission, this Court without going into the merits of the case, directs the first respondent to dispose of the appeal dated 29.04.2022 filed by the petitioner within a period of eight weeks from the date of receipt of a copy of this order.

7.This Writ Petition stands disposed of with the above directions. No costs.

29.09.2022

Index : Yes/No
Internet:Yes/No
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W.P.(MD)No.22929 of 2022

To

The Deputy Inspector General of Registration
Combined Registration Office
Rajakambeeram, Y.Othakadai
Madurai



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W.P.(MD)No.22929 of 2022

V.BHAVANI SUBBAROYAN, J.

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W.P(MD)No.22929 of 2022

29.09.2022