



W.P.(MD)No.25873 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 16.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.25873 of 2022

Kalidass, S/o.Veeraiah Kumar

... Petitioner

Vs

1.The Deputy Inspector General of Registration,
2nd Floor, Govt. Multistoried Building,
Kajamalai, Mannarpuram,
Trichy – 20.

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

... 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 appeal filed by the petitioner, dated 31.08.2021, within the time limit that may be stipulated by this Court.

For Petitioner : Mr.B.Sathesh Kumar

For Respondents : Ms.S.Jayapriya
Government Advocate

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing the first respondent to dispose the appeal filed by the petitioner, dated 31.08.2021, within a time frame.



W.P.(MD)No.25873 of 2022

2. Heard Mr.B.Sathesh Kumar, learned counsel appearing for the petitioner and Ms.S.Jayapriya, learned Government Advocate, who takes notice for the respondents. By consent of both sides, the Writ Petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, his father purchased the land in S.No. 36/1A1, measuring an extent of 0.48.0 Ares, through a registered sale deed, bearing Document No.429 of 1995, on the file of the Sub-Registrar, Manmelkudi. Thereafter, the Patta in respect of the said land was fraudulently changed into the name of one Karuppaiah, S/o.Kalimuthu, who in turn executed a gift settlement deed, bearing Document No.96 of 2021 in favour of his daughter namely, Vadivukarasi, by creating false documents. Hence, the petitioner's father filed a petition before the second respondent. However, without conducting proper enquiry, the second respondent had dismissed the petition filed by the petitioner's father, vide his proceedings dated 24.08.2021. Aggrieved over the same, the petitioner filed an appeal before the first respondent on 31.08.2021. But, till date, the said appeal is pending without any progress. Hence, the petitioner has approached this Court by way of filing the present Writ Petition for the relief stated supra.



W.P.(MD)No.25873 of 2022

4. The learned Government Advocate appearing for the respondents submitted that the petitioner's Appeal, dated 31.08.2021, would be disposed of on merits and in accordance with law, within a time frame.

5. Recording the aforesaid submission made by the learned Government Advocate appearing for the respondents, this Court, without going into the merits of the case, directs the first respondent to dispose of the petitioner's Appeal, dated 31.08.2021, on merits and in accordance with law, after providing an opportunity of hearing to all the necessary parties, within a period of 16 weeks from the date of receipt of a copy of this order.

6. This Writ Petition stands disposed of with the above direction. No costs.

16.11.2022

Index : Yes/No
smn2

To

1. The Deputy Inspector General of Registration,
2nd Floor, Govt. Multistoried Building,
Kajamalai, Mannarpuram,
Trichy – 20.



W.P.(MD)No.25873 of 2022

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



WEB COPY



W.P.(MD)No.25873 of 2022

V.BHAVANI SUBBAROYAN, J.

smn2

W.P(MD)No.25873 of 2022

16.11.2022