



W.P.(MD)No.26875 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.11.2022

CORAM

THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition (MD) No.26875 of 2022
and
W.M.P.(MD)No.21056 of 2022

S.Muthaiah

.. Petitioner

Versus

1.The District Registrar,
Palayamkottai,
Tirunelveli District.

2.The Sub-Registrar,
Sub-Registrartion Office,
Kayathar,
Thoothukudi District.

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the first respondent to cancel the document registered in document in Doc.No.2603/2022, dated 20.07.2022, registered by the second respondent, by giving due opportunity to all necessary parties based on the petitioner's representation dated 25.07.2022, within the time limit that may be stipulated by this Court.

For Petitioner	:	Mr.K.Gurunathan
For Respondents	:	Mr.K.S.Selvaganesan Additional Government Pleader



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ORDER

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The petitioner has prayed for issuance of a Writ of Mandamus, directing the first respondent to cancel the document registered in document in Doc.No. 2603/2022, dated 20.07.2022, registered by the second respondent, by giving due opportunity to all necessary parties based on the petitioner's representation dated 25.07.2022, within the time limit that may be stipulated by this Court.

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

3. According to the learned counsel for the petitioner, in respect of the property belonging to the petitioner, one A.Mariappan executed a sale deed in favour of one S.Theivu Pillai, based on certain fraudulent documents produced by him and the same was registered by the second respondent. Seeking to cancel the same, the petitioner sent a representation to the first respondent on 25.07.2022. Since the same has not been considered so far, the petitioner has approached this Court by way of filing the present Writ Petition for the relief



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4. The learned Additional Government Pleader appearing for the respondents submitted that based on the representation of the petitioner, the first respondent fixed the date of enquiry on 06.12.2022 and on the said date, the petitioner may be directed to appear and produce all the relevant documents and thereafter, the first respondent will pass appropriate orders on merits and in accordance with law, within a time frame to be fixed by this Court.

5. Recording the aforesaid submission made by the learned Additional Government Pleader appearing for the respondents, this Court, without going into the merits of the case, directs the petitioner to appear before the first respondent on 06.12.2022 for enquiry along with all the relevant documents. The first respondent is directed to consider the same, after giving an opportunity of hearing to all the necessary parties concerned, and pass appropriate orders on merits and in accordance with law, 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. Consequently, connected Miscellaneous Petition is closed.

Index : Yes/No

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V.BHAVANI SUBBAROYAN, J.

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Order made in
W.P.(MD) No.26875 of 2022

29.11.2022