



W.P.No.515 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.515 of 2023

Mohan Kumar

.... Petitioner

-Vs-

- 1 The Inspector General of Registration
No. 100 Santhome High Road
Mullima Nagar Mandavelipakkam Raja
Annamalaipuram Chennai 28
- 2 The District registrar
(Chennai South) District registrar office
Integrated Building for offices of the
commercial taxes and Registration Department
Fanepet Nandanam, Chennai 600 035.
- 3 N.Lakshmi
- 4 T.Uma Maheswari

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 2nd respondent herein to take appropriate and necessary action against the respondents 3 and 4 herein under Section 83 of the Indian Registration Act based on the petitioners representation dated 14.07.2022 within a reasonable time as fixed by this Honble court.



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For Petitioner : Mr.G.Krishna Kumar
For Respondents : Mr.P.Sathish
Additional Government Pleader
- for RR 1 and 2

ORDER

The prayer sought for herein is for a Writ of Mandamus directing the 2nd respondent herein to take appropriate and necessary action against the respondents 3 and 4 herein under Section 83 of the Indian Registration Act based on the petitioners representation dated 14.07.2022 within a reasonable time as fixed by this Court.

2. On 14.07.2022, the petitioner had given a representation to the 2nd respondent District Registrar to conduct an enquiry under Section 83 of the Registration Act and to pass orders. Since no action has been taken, he has moved the present writ petition.

3. When this writ petition was taken up for hearing, Mr.P.Sathish, learned Additional Government Pleader appearing for the respondents 1 and 2 submits that, the said representation dated 14.07.2022 indeed is being treated as an application / representation or complaint within the meaning of Section 77A of the Registration Act in view of the amendment having been made with effect



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from 16.08.2022 and accordingly summons have been issued to both parties ie., the petitioner as well as the persons against whom such representation has been made to conduct an enquiry on 20.01.2023 and after such enquiry, certainly the official respondents would pass necessary orders on merits and in accordance with law.

4. In view of the said development taken place as projected by the learned Additional Government Pleader and in view of the orders that is going to be passed, notice to the private respondents is hereby dispensed with.

5. Accordingly, this Court is inclined to dispose of this writ petition with the following order.

“That there shall be a direction to the 2nd respondent to consider the representation of the petitioner dated 14.07.2022 within the meaning of Section 77-A of the Act and pass necessary orders after conducting an enquiry as already proposed by the 2nd respondent with the petitioner as well as the private respondents and pass necessary orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.”



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6. With the above direction, this writ petition is disposed of. No costs.

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Index : Yes/No

Neutral Citation : Yes/No

Speaking Order / Non-speaking order

KST

To

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