



WEB COPY



WP.No.3381 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUIMAR

WP.No.3381 of 2023
and W.M.P.No.3452 of 2023

S.Mohammed Ramal

.. Petitioner

Versus

1. Inspector General of Registration
Santhome High Road
Santhome
Chennai - 600 028.

2. The Deputy Registrar General
Chennai Zone
Integrated Building for Offices of
The Commercial Taxes and Registration Department
Fanepet, Nandanam
Chennai - 600 035.

3. The District Registrar(Administration)
(Assistant Registrar general Level)
Central Chennai
Chennai - 600 014.

4. The Sub-Registrar
No. 268, Bharathi Salai
Express Estate
Royapettah
Chennai - 600 014.

5.F.Thameem Ansari

6.F.R.Basheer Admed

<https://www.mhc.tn.gov.in/judis>



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7.A.Noor Mohammed

8.S.Srinivasa Rao

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to consider the Appeal dt. 23.12.2022 filed by the petitioner as against order passed by the 3rd respondent in Na.Ka.No. 10281/B2/2021 dated 06.12.2022 and to dispose the same within a time limit.

For Petitioner : Mr.A.Manogaran

For Respondents : Mr.P.Sathish for R1 to R4
Additional Government Pleader

ORDER

This writ petition is filed seeking for the issuance of Writ of Mandamus to direct the 2nd respondent to consider the Appeal dt. 23.12.2022 filed by the petitioner as against order passed by the 3rd respondent in Na.Ka.No. 10281/B2/2021 dated 06.12.2022 and to dispose the same within a time limit.

2. Heard learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 4 and perused the materials available on record.



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3. The petitioners has preferred appeal on 23.12.2022 before the second respondent challenging the order of the third respondent in Na.Ka.No.10281/B2/2021 dated 06.12.2022. According to the impugned order, it is stated that the document in Doc.No.1155/2011 is fraudulent one and there is no mistake in the procedure of the registration of the sale deed as Doc.No.1155/2021. Per contra, it is the contention of the learned counsel for the petitioner that before registering the above sale deed, the petitioner was not enquired and obtained conclusive proof as to the title of the said property. Hence, the appeal before the second respondent, which is pending without consideration. Hence, the petitioner confines prayer by seeking this Court for issuance of direction for the second respondent to conclude the appeal proceedings and pass orders within a reasonable time as fixed by this Hon'ble Court.

4. Considering the limited relief sought for by the petitioner, this Court directs the second respondent to conclude the appeal dated 23.12.2022 filed by the petitioner and pass appropriate order(s) on merits and in accordance with law, after providing reasonable opportunity of hearing to the petitioner as well as the private respondents, within a period of two months from the date of receipt of copy of this order.



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Consequently, connected miscellaneous petition is closed.

08.02.2023

dhk

Index: Yes/No

Internet: Yes/No

To

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N.SATHISH KUMAR, J.

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