



WEB COPY



W.P.No.1315 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.1315 of 2023

M.Selvaraj

...Petitioner

Vs

The Sub Registrar,
Periyannayakan Palayam,
Coimbatore – 641 020.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to register the petitioner's Settlement Deed dated 21.12.2022 in TP/139847702/2022 and consequently direct the respondent to record reasons in the event of refusal of registration of the said Settlement Deed.

For Petitioner : Mr.B.Manimaran
For Respondent : Mr.Yogesh Kannadasan,
Special Government Pleader

ORDER

Heard Mr.B.Manimaran, learned counsel for the petitioner and Mr.Yogesh Kannadasan, learned Special Government Pleader for the respondent.

2.The petitioner herein had given a representation to the



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respondent on 23.12.2022 to register his Settlement Deed dated 21.12.2022 in TP/139847702/2022. Since the said representation was not considered, the present writ petition has been filed.

3.It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

4.In the light of the above observations, there shall be a direction to the respondent herein to consider the petitioner's representation dated 23.12.2022, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner as well as all other persons who may be interested in the subject property, within a period of



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four weeks from the date of receipt of a copy of this order.

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5.It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the respondent to consider the same on its own merits.

6.With the above direction, the Writ Petition stands disposed of.

No costs.

05.04.2023

Index: Yes/No
Speaking order/Non-speaking order
vga

To

The Sub Registrar,
Periyanayakan Palayam,
Coimbatore – 641 020.



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M.S.RAMESH,J.

vga

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