



W.P.No.2104 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.2104 of 2023

M.Kantha

.... Petitioner

-Vs-

1.The District Registrar
Chengalput District
Chengalput – 603 001.

2.The Sub Registrar
Cheyyur Taluk
Chengalput District.
Chengalput – 603 302.

3.Mr.T.Kanniappan

4.Mr.K.Ravi

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 1 and 2 to dispose of his representation dated 17.10.2022 as expeditiously as possible.

For Petitioner : Mr.D.Nelliappan

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader – for RR 1 & 2

Notice dispensed with – for RR 3 and 4



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ORDER

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The prayer sought for herein is for a Writ of Mandamus directing the respondents 1 and 2 to dispose of his representation dated 17.10.2022 as expeditiously as possible.

2. In respect of the property situated at S.No.102/3, Kaavanur, Soonambedu, Cheyyur Taluk, Chengalput District, it is the claim of the petitioner that the private respondents had fraudulently created encumbrance by registering certain documents. Therefore, in order to cancel the said documents after conducting an enquiry, the petitioner has given a complaint-cum-representation dated 17.10.2022 to the 1st respondent and in order to consider the same on merits and to pass orders, the petitioner has moved the present writ petition.

3. Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents 1 and 2. In view of the order that is going to be passed, notice to the respondents 3 and 4 is hereby dispensed with.

4. Learned Special Government Pleader would submit that, the said representation / complaint dated 17.10.2022 under Section 77-A of the Act would be considered by the 1st respondent within a time limit that may be stipulated by



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this Court.

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5. Considering the said submission made by the learned Special Government Pleader, this Court is inclined to dispose of this writ petition with the following order.

“That there shall be a direction to the 1st respondent to consider the complaint-cum-representation of the petitioner dated 17.10.2022 within the meaning of Section 77-A of the Registration Act, 1908 and after conducting enquiry by giving an opportunity of being heard to both the petitioner as well as the private respondents, final orders shall be passed within a period of twelve (12) weeks from the date of receipt of a copy of this order.”

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

30.01.2023

Index : Yes/No
Neutral Citation : Yes/No
Speaking Order / Non-speaking order
KST



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R. SURESH KUMAR, J.

KST

To

- 1.The District Registrar
Chengalput District
Chengalput – 603 001.
- 2.The Sub Registrar
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Chengalput – 603 302.

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