



WEB COPY



W.P.No.7352 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2023

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.7352 of 2023

Tmt.M. Easwari

... Petitioner

Vs.

1.The Inspector General of Registration,
No.100, Santhome High Road,
Mandavelipakkam,
Raja Annamalaipuram,
Chennai – 600 028.

2.The District Registrar (W) (Admn.,)
O/c Collectorate,
Room No.313, Registration Department,
Salem – 636 001,
Salem District.

3.The Sub Registrar,
Omalur,
Omalur Taluk,
Salem District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to dispose of the petitioner's representation dated 05.09.2020, 07.09.2022 and 20.12.2022, within stipulated period of time on the light



W.P.No.7352 of 2023

of circular dated 04.01.2023 issued by the 1st respondent.

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For Petitioner : Mr.B. Sundarapandiyan

For Respondents : Mr.Yogesh Kannadasan,
Special Government Pleader

ORDER

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

2. The petitioner herein had given representations on 05.09.2020, 07.09.2022 and 20.12.2022, seeking for cancellation of the fraudulent purchase documents. Since the said representations were not considered, the present Writ Petition has been filed.

3. It is needless to point out that whenever a representations of this nature is made to a Statutory Authority, there is a duty cast upon the respondent to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending



W.P.No.7352 of 2023

indefinitely. As such, non-consideration of the representations 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 the 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 first respondent herein, to dispose of the petitioner's representations dated 05.09.2020, 07.09.2022 and 20.12.2022, in accordance with the procedure contemplated under Section 77A of the Registration Act, after giving due opportunity to the persons who had done the registration, as well as the beneficiaries and the witnesses to the deed of conveyance and any other persons who may be interested in the subject property, within a period of twelve (12) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim made by the petitioner and that it is open to the concerned respondent to consider the same on its own merits.



W.P.No.7352 of 2023

M.S.RAMESH, J.

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5. With the above direction, the Writ Petition stands ordered. No costs.

15.03.2023

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

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To

- 1.The Inspector General of Registration,
No.100, Santhome High Road,
Mandavelipakkam,
Raja Annamalaipuram,
Chennai – 600 028.
- 2.The District Registrar (W) (Admn.,)
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W.P.No.7352 of 2023