



WEB COPY



Writ Petition No.6933 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.03.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.6933 of 2023

Mr.Sarvothman

... Petitioner

-Vs-

1. The Inspector General of Registration,
100, Santhome High Road,
Raja Annamalai Puram,
Chennai – 600 028.

2. The District Registrar,
Chennai South, Fanepet,
Nandanam, Chennai – 600 035.

3. V.Armugachandran

4. J.Ganapatha

5. Marsilal

6. Davichand

7. Harisingh

8. M/s.N.Selvaradjalou Chetty Trust,
Represented by its Chairman/Trustee,
Dr.H.B.N.Shetty, died,
No.21, I Floor, Armenian Street,
Chennai – 600 001.

9. Dr.H.B.N.Shetty, died

10. Francis George,

11. Elango

... Respondents



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Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to consider the representations dated 13.09.2022 and 28.11.2022 given by the petitioner in a time frame as may be fixed by this Court.

For Petitioner : Ms.Bhuvaneswari
For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader [R1
& R2]

ORDER

The prayer sought for herein is for a writ of mandamus directing the respondents to consider the representations dated 13.09.2022 and 28.11.2022 given by the petitioner in a time frame as may be fixed by this Court.

2. The petitioner on 13.09.2022 and 28.11.2022 had given two complaints against the private respondents in respect of the property in question, which according to the petitioner belongs to the petitioner and in order to consider the said complaints by conducting an enquiry by the second respondent District Registrar and to pass orders within the meaning of Section 77-A of the Registration Act, 1908, the present writ petition has been filed.



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3. Heard Ms.Bhuvaneswari, learned counsel appearing for the petitioner and Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for the first and second respondents.

4. In view of the order going to be passed in this writ petition, notice to the private respondents is hereby dispensed with.

5. Learned Special Government Pleader appearing for the first and second respondents would submit that, if at all the complaints have been given by the petitioner on the said two dates as claimed by the petitioner to the second respondent within the meaning of Section 77-A of the Registration Act, the same would be considered and after giving an opportunity of being heard to both the petitioner as well as the private respondents, it would be enquired and decided on merits and in accordance with law within a time frame that may be stipulated by this Court.

6. Considering the said submissions made by the learned counsel appearing for both sides especially the stand taken by the learned Special



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Government Pleader appearing for the first and second respondents, this Court is inclined to dispose of this writ petition with the following order:

That there shall be a direction to the second respondent District Registrar to consider the said complaints given by the petitioner dated 13.09.2022 and 28.11.2022 against the private respondent herein and conduct an enquiry by giving an opportunity of being heard to both the petitioner as well as the private respondents and pass orders thereon on merits and in accordance with law within a period of twelve(12) weeks from the date of receipt of a copy of this order.

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

03.03.2023

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
mp



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R. SURESH KUMAR, J.

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