



W.P.No.9796 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.9796 of 2023

V.Govindhan

...Petitioner

Vs

1.The Inspector General of Registration,
100, Santhome High Road,
Mandavelipakkam, Raja Annamalaipuram,
Chennai - 600 028.

2.The District Registrar,
Thirupathiripuliyur,
Cuddalore District.

3.The Sub-Registrar,
Thirupathiripuliyur,
Cuddalore District.

4.K.Krishnakumar

5.D.Maniarasan

6.N.Radhakrishnan

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 3 to



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consider the petitioner's representation dated 10.02.2023 and thereby direct the respondents 1 to 3 cancel the documents Doc.No.2674/2022 dated 11.04.2022, 2992/2022 dated 01.08.2022 and 2405/2022 dated 27.06.2022 stands in the name of the 4 to 6 respondents on the file of the 3rd respondent on the light of circular dated 04.01.2023 issued by the 1st respondent.

For Petitioner : Mr.B.Sundarapandiyan

For R1 to R3 : 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 1 to 3.

2. Since this Court is directing the first respondent to consider the petitioner's representation, after giving due opportunity to the respondents 4 to 6, notice to the respondents 4 to 6 is dispensed with.

3. The petitioner had given a representation dated 10.02.2023 to the second respondent seeking for cancellation of the document



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Nos.2674/2022, 2992/2022 and 2405/2022. Since the said representation was not considered, the present Writ Petition has been filed.

4. 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.

5. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 10.02.2023, in accordance with the procedure contemplated under Section 77A of the Registration Act, after giving due opportunity to the persons who had executed the sale deed, 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 weeks



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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.

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

No costs.

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Index:Yes/No

Neutral Citation:Yes/No

Speaking order/Non-speaking order

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To

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M.S.RAMESH,J.

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