



W.P.No.11077 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.11077 of 2023

M.G.Dheenadayalan

...Petitioner

-Vs-

- 1.The Inspector General of Registration,
100, Santhome High Road,
Pattinapakkam, Chennai – 600 028.
- 2.The Additional Inspector General of Registration,
Integrated Building for Offices of the
Commercial Taxes and Registration Department,
Ground Floor, Fanepet, Nandanam,
Chennai - 600 035.
- 3.The Deputy Inspector General of Registration,
Integrated Building for Offices of the
Commercial Taxes and Registration Department,
Ground Floor, Fanepet, Nandanam,
Chennai - 600 035.
- 4.The District Registrar (Administration),
Registrar Office,
Kancheepuram District.
- 5.The Sub Registrar of Tiruttani,
Office of Sub Registrar, Tiruttani.



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6.Rathinam

7.Kathirvel

8.Elumalai

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondent 1 to 3 to pass an order for cancellation of Sale Deed in document Nos.236/1974, 239/1974 and 1078/1974 on the file of SRO - Tiruttani.

For Petitioner : Mr.L.Chandrakumar

For R1 to R5 : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

Heard Mr.L.Chandrakumar, learned counsel for the petitioner and Mr.Yogesh Kannadasan, learned Special Government Pleader for the respondents 1 to 5.

2. Since this Court is directing the third respondent to consider the petitioner's representation, after giving due opportunity to the respondents 6 to 8, notice to the respondents 6 to 8 is hereby dispensed with.



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3. The petitioner had given a representation to the third respondent on 14.02.2023, seeking to take action for cancellation of the Sale Deed in Document Nos. 236/1974, 239/1974 and 1078/1974. 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 the 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 third respondent herein to consider the petitioner's representation dated 14.02.2023, in accordance with the procedure contemplated under Section 77A of the Registration Act, after giving due opportunity to the respondents 6 to 8 herein and the persons who had executed the sale deed, as well as the



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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 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
Speaking order/Non-speaking order
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M.S.RAMESH,J.

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