



W.P.No.30337 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2023

CORAM

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.No.30337 of 2023

Kothawal Aneerur Rahman

... Petitioner

Vs.

1. The District Registrar,
Sub Registrar Office,
Vaniyambadi, Vellore District.

2. The Inspector General of Registration,
No.100, Santhome High Road,
Chennai- 600 028.

3. G.Rajasekaran

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus, directing the First Respondent to consider and dispose of the representation dated 22/09/2023 of the petitioner in accordance with law.

For Petitioner : Mr.K.N.Nataraj

For Respondents : Mr.Yogesh Kannadasan,
Special Government Pleader,
(for R1 and R2)

Mr.Senthil Kumaran (for R3)



W.P.No.30337 of 2023

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ORDER

The writ petition is filed to direct the the first respondent to consider and dispose of the representation dated 22/09/2023 of the petitioner in accordance with law.

2. It is submitted by the learned counsel for the petitioner that he submitted a representation dated 22.09.2023 to the first respondent with a copy to the second respondent, prevailing upon them to take corrective action in setting right the encumbrance entry within a period of seven days. The representation was acknowledged by both the respondents 1 and 2 on 23.09.2023. However neither any action was taken, nor any reply is given by the respondents. Hence the present writ petition is filed.

3. The third respondent has filed the counter and the counsel for the third respondent submitted that the writ petition is not maintainable and if at all, the petitioner seeks relief, he has to seek the relief before the Civil Court, not before the Writ Court.



W.P.No.30337 of 2023

4. The present writ petition is only for issuance of a mandamus to direct the first respondent to consider the said representation. Therefore, the respondents 1 and 2 are directed to consider the said representation of the petitioner and pass orders, after giving opportunity of hearing to the third respondent and conduct the inquiry in the manner known to law and pass orders within a period of three (3) months from the date of receipt of a copy of this order.

5. Accordingly, this writ petition stands disposed of. However, there shall be no order as to costs.

21.11.2023

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

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To

1. The District Registrar,
Sub Registrar Office,
Vaniyambadi, Vellore District.

2. The Inspector General of Registration,
No.100, Santhome High Road,
Chennai- 600 028.



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P.VELMURUGAN. J.,

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