



W.P(MD)No.758 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.758 of 2022
and
W.M.P.(MD)No.599 of 2022

M.Karuppasamy

... Petitioner

Vs.

1.The District Registrar,
District Registration Office,
Tenkasi District.

2.The Sub-Registrar,
O/o the Sankarankovil Sub Registrar,
Tenkasi District.

3.Mariyappan

4.Pandiya Rajan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 1st Respondent to consider the Petitioner's Representation dated 04.08.2021 and to take appropriate action under Section 83 of the Tamil Nadu Registration Act 1908 within a stipulated time may be fixed by this Court.



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For Petitioner : Mr.M.Saravanakumar

For Respondents : Mr.M.Prakash
Additional Government Pleader for R1 & R2
: Mr.V.Muthuvelan for R3 & R4

ORDER

Heard both sides.

2. When the writ petition was listed for admission on 20.01.2022, the following order was passed:-

“The writ petition has been filed in the nature of Writ of Mandamus questioning a particular encumbrance created by the third respondent in favour of the fourth respondent. The said encumbrance was a gift deed.

2. It is claimed by Mr.M.Saravanakumar, learned counsel for the petitioner that the petitioner has title over the schedule property, and in this connection has also produced an encumbrance showing the name of the petitioner as one of the purchasers of the property. It is also stated that a communication had been issued to the first respondent to conduct an enquiry pursuant to a representation made by the petitioner herein.

3. Mr.N.Satheeshkumar, learned Additional Government Pleader takes notice for the first and second respondents.

4. Issue notice to the third and fourth respondents through Court and also privately returnable by 14.02.2022.

5. In the meanwhile, the first respondent is to commence the enquiry. Let the first respondent commence the enquiry by following the principles of natural justice, by issuing notice not only to the petitioner



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but also to the third and fourth respondents. If the enquiry had commenced, the learned Additional Government Pleader or the learned counsel for the petitioner may inform the same in the next hearing date.”

Pursuant to the direction given by this Court, enquiry was conducted on 02.06.2022.

3. It is stated by the learned Additional Government Pleader that final order will be passed within four weeks. I make it clear that I have not gone into the merits of the matter.

4. Recording the said submission, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

04.10.2023

Index : Yes / No
Internet : Yes/ No
rmi

To

1.The District Registrar,
District Registration Office,
Tenkasi District.

2.The Sub-Registrar,
O/o the Sankarankovil Sub Registrar,
Tenkasi District.



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G.R.SWAMINATHAN, J.

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