

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.03.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.5263 of 2023

K.Seethalakshmi

... Petitioner

Vs.

The District Registrar (Admin),
District Registrar Office,
Thanjavur District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondent to consider the petitioner's appeal under Section 72 of Registration Act dated on 18.11.2022 and pass final order within a stipulated time frame fixed by this Court by directing the Sub Registrar office of Maharnombuchavadi to register the document submitted by him dated 09.11.2022.

For Petitioner : Mr.A.Senthilkumar

For Respondent : Mr.M.Prakash
Additional Government Pleader

ORDER

This writ petition has been filed in the nature of mandamus seeking a direction to the respondent / District Registrar (Admin), District Registrar Office, Thanjavur District, to consider the appeal dated 18.11.2022, filed by the petitioner under Section 72 of the Registration Act, 1908 and dispose the same.

2. The appeal is now pending before the respondent. It may not be proper for this Court to examine the merits of the case. It is however stated by the learned Additional Government Pleader that two suits are pending namely O.S.No.375 of 2019 and O.S.No.382 of 2022, both before the Subordinate Court, Kumbakonam, in which the District Registrar is also a party.

3. Let the District Registrar issue notice in the appeal pending under Section 72 of the Registration Act, to the petitioner herein and also to any other contesting respondent therein and examine the schedule in the suits and examine whether the appeal can be proceeded during the pendency of the suits and take a decision. Such decision must be taken within a period of six weeks from the date of receipt of a copy of this order.

4. This Writ Petition is disposed of. No costs.

29.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No

pnn

To

The Sub Registrar,
Office of the Sub-Registrar,
Sankarankoil,
Tenkasi District.

C.V.KARTHIKEYAN, J.

pnn

W.P(MD)No.5263 of 2023

29.03.2023