



W.P(MD)No.7463 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:08.06.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD).No.7463 of 2023
and WMP(MD)No.8052 of 2023

S.Alagarsamy

... Petitioner

Vs

1. The Deputy Inspector General
Of Registration,
Integrated Complex of Registration Department,
TNAU Nagar,
Rajakambiram, Madurai District.
2. The District Registrar,
Integrated Complex of Registration Department,
TNAU Nagar,
Rajakambiram, Madurai District.
3. The Sub Registrar,
T.Kallikudi Registration Office,
T.Kallikudi, Madurai District.
4. The Tahsildar,
T.Kallikudi Taluk, Thirumangalam,
Madurai District.
- 5.Alagammal



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6.Sundarammal

... Respondents

(5th and 6th respondents impleaded as per order of this Court, dated 08.06.2023)

Prayer:Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to consider the petitioner representation, dated 27.02.2023 to conduct an detailed enquiry affording opportunity to all the parties within a stipulated time fixed by this Court.

For Petitioner	:Mr. J.Vijayaraja
For R1 to R4	:Mr.M.Prakash Additional Government Pleader
For R5, R6	:No Appearance

ORDER

The writ petition has been filed in the nature of Mandamus, seeking a direction to the first respondent/Deputy Inspector General Of Registration, Madurai to consider the representation given by the petitioner on 27.02.2023 and to conduct a detailed enquiry by giving opportunity to all parties.

2.In the affidavit filed in support of the writ petition, it had been stated that the property in Natham Manaivari Patta consisting of punjai land



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in UDR S.No.28/11A measuring to an extent of 0.11.00 ares (27 cents) situated at S.Vellalakulam, Kallikudi Taluk, Madurai South, Madurai and it is a vacant land and is to ancestral property of the petitioner. All the brothers and sisters of the petitioner are having equal share. It was originally in the name of his father Sakkan Kudumbam. It had been stated that apart from the petitioner, there are other brothers and sisters. One of the brother and two daughters had executed a document among themselves. This made the petitioner to give a representation before the first respondent, seeking cancellation of document, since it is an ancestral property and without reference to the petitioner, the document was executed. This Court had directed to implead the parties in the document.

3.Accordingly, WMP(MD)No.8052 of 2023 had been filed by the petitioner seeking to implead Alagammal, W/o.Kasthuri Rengan, Sundrammal, W/o.Ganeshan as fifth and sixth respondents in the writ petition. Notice had been directed and served. Proof of service also filed. However, there is no appearance on their behalf.

4.Since the petitioner seeks a direction to examine the



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representation given by him, the writ petition is ordered and a direction is issued to the first respondent/Deputy Inspector General Of Registration, Madurai, to take on file the representation given by him, dated 27.02.2023, issue notice to the petitioner and very specifically to the aforementioned Alagammal, W/o.Kasthuri Rengan, Sundrammal, W/o.Ganeshan and also to the other brothers and sisters of the petitioner, thereafter, conduct an enquiry into the execution of the document. The petitioner may give a list of all brothers and sisters and their addresses, which would facilitate the first respondent to issue notice to all concerned. The first respondent is directed to dispose the representation given by the petitioner, within a period of twelve weeks, from the date of receipt of copy of this order.

4.In view of the above, WMP(MD) No.8052 of 2023 is allowed.

Before issuing the order copy, Registry is directed to implead the petitioners in WMP(MD) No.8052 of 2023 as the respondents 5 and 6 in the writ petition.



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5. With the above directions, this Writ Petition stands allowed. No

costs.

08.06.2023

NCS : Yes/No
Index : Yes/No
Internet: Yes/No
PNM

To

1. The Deputy Inspector General
Of Registration,
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TNAU Nagar,
Rajakambiram, Madurai District.
2. The District Registrar,
Integrated Complex of Registration Department,
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C.V.KARTHIKEYAN, J.

PNM

ORDER IN
W.P(MD).No.7463 of 2023
and WMP(MD)No.8052 of 2023

08.06.2023