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W.P.No.4025 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2024

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.4025 of 2019

Uma Maheswari

...Petitioner

-Vs-

1. The District Registrar,
Ariyalur.

2. The Sub Registrar,
Thuraiyur.

3. S.Radhakrishnan

4. N.Rajendran

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus directing the first respondent to consider the petitioner representation letter dated 16.12.2018 under Chapter XIV of Registration Act, 1908 with give appropriate opportunity to third and fourth respondents.

For Petitioner : Mr.S.Ramajayam



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For R1 & R2 : Mr.L.S.M.Hazan Faizal
Additional Government Pleader

For R4 : Mr.K.Thilageswaran

ORDER

This writ petition is filed seeking for issuance of Mandamus to direct the first respondent to consider the petitioner representation letter dated 16.12.2018 under Chapter XIV of Registration Act, 1908 after giving appropriate opportunity to third and fourth respondents.

2. The case of the petitioner is as follows:-

The petitioner's father Setharaman has two wives and the petitioner's mother is first wife. After the death of the said Setharaman, the second mother of the petitioner obtained legal heir certificate without putting their names from the Tahsildar office. The Tahsildar also issued legal heir certificate without adding their names and without conducting proper enquiry. The third and fourth respondent filed fabricated legal heirship certificate before the second respondent and fraudulently registered sale deed document No. 223/2018 dated 22.01.2018. In this regard, the petitioner made detailed representation to the first respondent dated 16.12.2018, but till date petitioner's representation was not considered by the first respondent and no



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action has taken against the concern persons. Aggrieved by the same, the petitioner has come forward with the present writ petition.

3. Though very many grounds have been raised in this writ petition, learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the first respondent to consider the petitioner's representation dated 16.12.2018 and pass appropriate orders on merits within a particular time frame to be fixed by this Court.

4. The learned Additional Government Pleader appearing for the first and second respondent has no objection for the said order being passed by this Court.

5. Heard both sides and perused the materials available on record.

6. In view of the above, the following order is passed by this Court:-
“The first respondent is directed to consider the petitioner representation letter dated 16.12.2018 under Chapter XIV of Registration Act, 1908 after giving due notice to the petitioner, third and fourth respondents, opportunity of personal hearing, take into consideration the relevant documents submitted



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by the parties, on merits and in accordance with law and pass appropriate orders within a period of six weeks from the date of receipt of copy of this order.

7. With above said direction, this writ petition is allowed. No costs.

11.06.2024

ns1

Index: Yes/No

Speaking Order : Yes/No

Neutral case citation: Yes/No

To

1. The District Registrar,
Ariyalur.

2. The Sub Registrar,
Thuraiyur.



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J.SATHYA NARAYANA PRASAD, J.

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