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W.P.No.18194 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2024

CORAM

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**

W.P.No.18194 of 2024
and WMP No.19978 of 2024

Tmt.Devi Palaniswamy

... Petitioner

Vs

- 1 The Inspector General of Registration
No.100 Santhome High Road
Mullima Nagar Mandavelipakkam Raja
Annamalaipuram Mylapore Chennai-600 004.
- 2 The District Registrar
Central Chennai Registrar Of Cooperative
Societies No.182 Bharathi Salai
Royapettah Chennai-600 014.
- 3 Sujatha Viswanathan
- 4 The District Registrar,
Chennai South, Chennai.

(R4 impleaded suo motu vide this order)

.... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to consider petitioner's representation dated 22.04.2024 and to pass appropriate orders.



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For Petitioner : Mr.MA.Gouthaman

For Respondents : Mr.Stalin Abhimanyu
Additional Government Pleader – R1, R2 and R4

ORDER

Mr.Stalin Abhimanyu, learned Additional Government Pleader accepts notice for R1 and R2 and is fully armed with necessary instructions to enable a final disposal of this matter, even at the stage of admission. In light of the order that is proposed to be passed now after hearing the petitioner as well as learned counsel who has entered appearance for the official respondents, no notice is thought necessary to R3 at this juncture as her interests are duly taken note of by virtue of this order.

2. According to the petitioner, she is the only surviving individual in a society by the name of La Chatelaine Educational Society which runs an educational institution by the name La Chatelaine Residential Junior College at Door No.1, Old No.4/4, Arcot Road, No.101, Valasaravakkam Revenue Village, Ambattur Taluk, Thiruvallur District, S.No.118/2 (Part), New No.118/2 A1A2 ('premises'/'premises in question').

3. According to the petitioner, R3 who had been granted lease for use of the premises in question is attempting to encroach into the



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premises in question in collusion with others. The petitioner thus claims to have made representations to R2 / District Registrar, Central Chennai to look into the matter and issue appropriate directions.

4. Representation dated 22.04.2024 is placed at page 22 of the compilation accompanying the writ affidavit which contains acknowledgement of receipt dated 25.04.2024. A copy of the same has also been issued to R3 and an acknowledgement card is placed on file. Thereafter on account of the inaction by the official respondents, a legal notice had also been issued to R2 for which acknowledgement of receipt is placed on file.

5. Learned Additional Government Pleader would accede to the receipt of representation dated 22.04.2024 as well as the subsequent legal notices issued and would assure the Court that the needful will be done in terms of disposal of the representation in accordance with law.

6. Learned Additional Government Pleader, on oral instructions, would state that current appropriate authority is the District Registrar, Chennai South who is seized of the matter insofar the representation and the legal notices of the petitioner have been handed over to him by R2. He would submit that enquiry is on-going. This is recorded.

7. It is unknown as to whether any notice has been issued to the



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petitioner and in fact learned counsel for the petitioner would deny receipt of any notice.

8. Hence and in light of the submission of learned Additional Government Pleader that enquiry has commenced, it would suffice that a mandamus is issued to the District Registrar, Chennai South, Chennai who is impleaded suo motu as R4 and for whom, Mr.Stalin Abhimanyu, accepts notice, to issue notice to the petitioner, R3 as well as any others, who may be deemed necessary for proper adjudication of the matter, consider the relevant documents, if any, supplied by the parties, hear them in full and pass speaking orders on the representation of the petitioner within a period of twelve (12) weeks from date of receipt of a copy of this order, in accordance with law.

9. The petitioner would express apprehension that in the interim there should be no registration of the premises in question to third parties as third party interest would then be created. He would also submit that necessary pleas have been made before the authorities in this regard.

10. Needless to say, let the authority consider this prayer for interim relief, expeditiously, in order to ensure that the interests of the parties are protected, pending final adjudication of the representation.

11. This writ petition stands disposed in the above terms. No costs.



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Connected miscellaneous petition is closed.

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Index:Yes/No

Speaking order:Yes

Neutral Citation:Yes

To

Note: Registry is directed to make necessary amendments in the caue title.

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Dr.ANITA SUMANTH,J.



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