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W.P.No.37158 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.37158 of 2024
and
W.M.P.No.40156 of 2024

K.Shanmugam

... Petitioner

Vs.

1.The Inspector General Of Registration,
No. 100,Santhome Hgih Road,
Pattinapakkam, Santhome,
Raja Annamalai Puram,
Chennai -600 028.

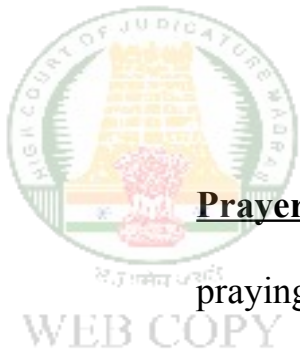
2.The District Registrar(Administration),
District Registrar(Administration),Office,
South Chennai, Nandanam,
Chennai -600 035.

3.The Sub-Registrar,
Registration Department,
Thiyagaraya Nagar,
Chennai -600 017.

4.The Tamil Nadu Slum Clearance Board,
(Presently Known As Tamil Nadu Habitual Development Board),
No. 5, Kamarajar Salai, Chepauk,
Chennai -600 005.

5.Rohini

...Respondents



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Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, Calling for the entire records relating to the order of 3rd Respondent in Refusal Check Slip dated 19.01.2023 vide Refusal Number in RFL/Thiyagaaraya Nagar/Book 2/1 and quash the same and direct the 3rd Respondent herein to register and release the sale Deed dated 14.11.2022 presented by the Petitioner and consequently direct the 2nd respondent to dispose the Appeal dated 21.02.2023 filed by the Petitioner under Sec.72 of Registration Act, 1908 pending before the 2nd Respondent within the time frame fixed by this Honble Court.

For Petitioner : M/s.N.Nithianandan

For Respondents : M/s.B.Vijay, AGP.
for R.1 to R3.

: M/s.K.Indumathy Venkatesh,
Standing Counsel for R.4

ORDER

The Writ Petition is filed for the following reliefs:-

" Calling for the entire records relating to the order of 3rd Respondent in Refusal Check Slip dated 19.01.2023 vide Refusal Number in RFL/Thiyagaaraya Nagar/Book 2/1 and quash the same and direct the



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3rd Respondent herein to register and release the sale Deed dated 14.11.2022 presented by the Petitioner and consequently direct the 2nd respondent to dispose the Appeal dated 21.02.2023 filed by the Petitioner under sec. 72 of Registration Act, 1908 pending before the 2nd Respondent within the time frame fixed by this Honble Court"

Brief Facts:-

2. Challenging the refusal check slip dated 19.01.2023 issued by the 3rd respondent, the petitioner had preferred an appeal to the 2nd respondent on 21.02.2023. The 2nd respondent had directed the petitioner to appear in person with the relevant documents on 25.04.2023. The petitioner has also appeared for the enquiry and submitted the document as well as a written explanation. Thereafter, the petitioner has been called for enquiry on 05.09.2023 vide the letter of the 2nd respondent dated 08.08.2023. The petitioner had once again appeared before the appellate authority. The appellate authority without hearing the petitioner simply directed the petitioner to submit his written submissions and thereafter had reserved orders in the appeal. To date, no orders in the appeal have been pronounced. Therefore, the petitioner is before this Court.

3. Heard the counsels on either side.



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4. Though the Writ Petition has been for the reliefs set out supra, it is seen that an appeal has also been preferred to the 2nd respondent in respect of the very same impugned order. Therefore, taking into account the fact that the 2nd respondent had reserved orders as early as on 05.09.2023 and no orders have been pronounced to date, the Writ Petition is disposed of with a direction to the 2nd respondent to once again hold an enquiry, hear the objection of the petitioner in person and thereafter pass orders in the appeal filed by the petitioner dated 21.02.2023. The said exercise shall be completed within a period of 8 weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected Miscellaneous Petition is closed.

11.12.2024

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To



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