

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WP.No.22277/2015 & MP.No.1/2015

V.Kandeepan

..Petitioner

Versus

1.The Inspector General of Registration
No.120, Santhome High Road, R.A.Puram
Chennai 600028.

2.The District Registrar [Administration]
District Registrar Office, Dindivanam,
Villupuram District, Tamilnadu.

3.The Sub Registrar,
Sub Registrar office, Gingee-604202
Villupuram District, Tamilnadu.

4.V.Annamalai
5.A.Muralidharan
6.A.Rajesh

..Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 1st respondent to take appropriate action on the impugned Gift Settlement Deed executed and registered by the 4th respondent to and in favour of 5th & 6th respondents, registered as Document No.1909/2014 on 23.07.2014 by the 3rd respondent, in accordance with Circular No.67, dated 03.11.2011 issued by the 1st respondent and as per section 69, section 82, section 83 of the Registration Act, 1908.

For Petitioner : Mr.M.Udhaya Shankar for
M/s.Blue Star Associates
For R1 to R3 : Mr.R.M.Muthukumar
Government Advocate

ORDER

By consent, the writ petition is taken up for final disposal.

2.The petitioner claims that he is the absolute owner of the agricultural lands comprised in Survey Nos.17/1C1, 17/1D, 17/1C2, 17/1B, 17/2C, 17/2A, 12/2, 10/11 and 65/14 executed between his

brother Annamalai, the 4th respondent herein and himself registered as Document No.109/1998 on 02.02.1998 by the 3rd respondent. It is further stated by the petitioner that the 4th respondent is the absolute owner of the agricultural lands comprised in S.Nos.25/3, 25/4, 25/2, 26/1, 24/2 and 24/3 in terms of the above said document. The grievance expressed by the petitioner is that though in respect of the above said lands, he has been granted patta, the 4th respondent, who has no right whatsoever, has executed a deed of Gift Settlement dated 23.07.2014 registered as Document No.1909/2014 registered on the file of the 3rd respondent in favour of his sons, viz., Muralidharan and Rajesh, the 5th and 6th respondents respectively, and prayed for cancellation of the same. The petitioner has also submitted very many reminders and also submitted a representation to the 1st respondent praying for cancellation of the same by invoking Circular No.67 dated 03.11.2011 and since he has not been favoured with any response, the petitioner came forward to file this writ petition.

3.Heard the learned counsel for the petitioner and Mr.R.M.Muthukumar, learned counsel who accepts notice on behalf of the respondents 1 to 3.

4.Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the first respondent to consider and dispose of the petitioner's representation dated 13.07.2015 in accordance with law after putting on notice the respondents 4 to 6 and pass orders within period of eight weeks thereafter and communicate the decision to the petitioner as well as to the respondents 4 to 6.

5.The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

सत्यमेव जयते

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

To

1.The Inspector General of Registration
No.120, Santhome High Road, R.A.Puram
Chennai 600028.

2.The District Registrar [Administration]
District Registrar Office, Dindivanam,
Villupuram District, Tamilnadu.

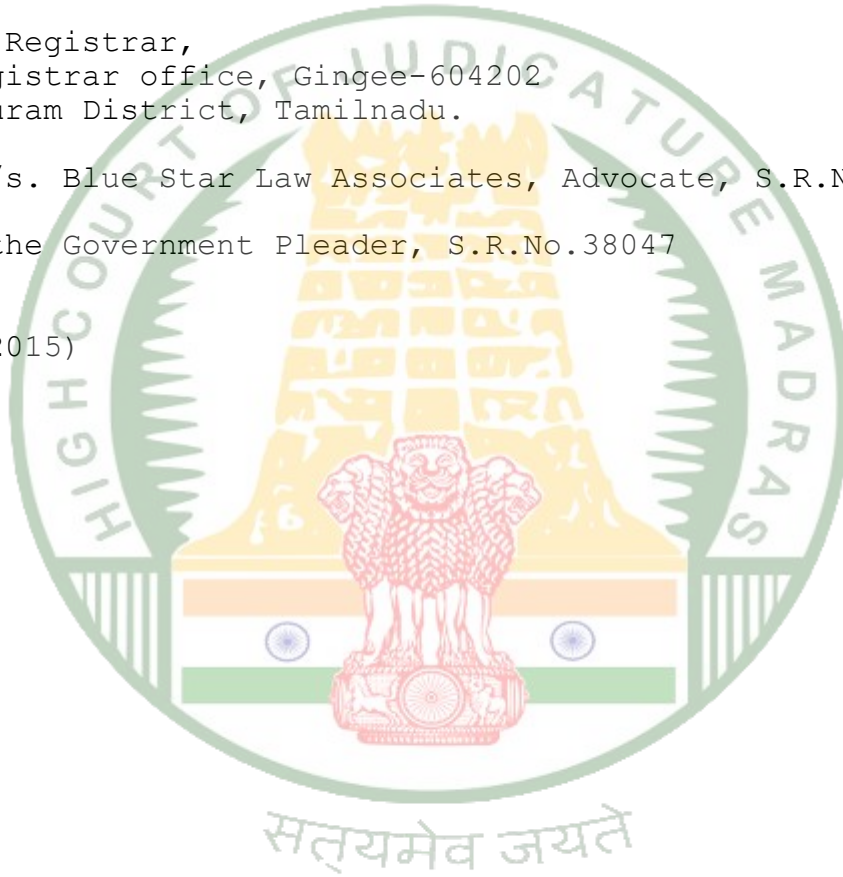
3.The Sub Registrar,
Sub Registrar office, Gingee-604202
Villupuram District, Tamilnadu.

+1cc to M/s. Blue Star Law Associates, Advocate, S.R.No.37949

+3ccs to the Government Pleader, S.R.No.38047

RV(CO)
EU(04/08/2015)

WP.No.22277/2015



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