

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 25.07.2016
CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.25783 of 2016
And
W.M.P.No.22096 of 2016

S.Gnanasekar

... Petitioner

Vs.

- 1 The Inspector General of Registration,
Office of Inspector General of Registration,
Santhome High Road,
Chennai - 600 004.
 - 2 The Sub-Registrar,
Office of Sub Registrar, (Registration Department)
Thirukazhukundram, Kancheepuram District.
- ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to consider the representation of the petitioner dated 17.06.2016.

For Petitioner : No Appearance
For Respondents : Mr.R.Govindasamy
Special Government Pleader

O R D E R

The petitioner claims to be a very poor fisherman and bequeathed with 2/4th undivided share of agricultural land measuring to an extent of 5.16 acres in S.No.172 at Padupattinam Village, Padupattinam Post, Thirukazhukundram Taluk, Kancheepuram District through a registered Will bearing document no.48 of 2008 registered on the file of the Sub Registrar Office, Thirukazhukundram by late.Kasinathan.

2.The petitioner would further state that the agricultural land was originally owned by late.Dhanalakshmi Ammal who had four daughters, namely, Appoorvammal, Annammal, Vatchalabai and Logammal and a suit in O.S.No.157 of 1976 came to be instituted on the file of the District Munsif Court, Thirukazhukundram by one Logammal, for partition and separate possession and it was dismissed and the appeal in A.S.No.61 of 1985 preferred against the said judgment and decree, on the file of the Principal Sub-Court, Chengalpet was allowed and preliminary decree granting 1/4th share in respect of the lands came to be passed in favour of the four daughters of Dhanalakshmi Ammal.

The said Logammal executed a Will bequeathing her 1/4th share in the agricultural land to one Kasinathan who is the son of Annammal - sister of Logammal and thereafter, Annammal also died leaving behind Kasinathan and as such, Kasinathan acquired 2/4th share and he bequeathed the 2/4th share in favour of the petitioner who is none other than his sister's son.

3.The grievance expressed by the petitioner is that some third parties who have no legal rights are trying to create bogus document and get it registered to defeat the right of the petitioner and the petitioner in this regard, has submitted representation dated 17.06.2016 to the respondent and since no response is forthcoming, came forward to file this writ petition.

4.The learned counsel appearing for the petitioner is absent. This Court heard the submissions of Mr.R.Govindasamy, learned Special Government Pleader who accepts notice on behalf of the respondents.

5.This Court taking into consideration the limited scope of the prayer sought for by the petitioner and without going into the merits of the same, directs the second respondent to consider and dispose of the petitioner's representation dated 17.06.2016, in accordance with law and after putting on notice, the persons concerned, pass orders, within a period of twelve weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the persons concerned.

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

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

- 1 The Inspector General of Registration,
Office of Inspector General of Registration,
Santhome High Road,
Chennai - 600 004.
 - 2 The Sub-Registrar,
Office of Sub Registrar, (Registration Department)
Thirukazhukundram, Kancheepuram District.
- +1 cc to Govt.Pleader,sr.42125.

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krd 17/8

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