

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 19.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN**W.P(MD)No.11265 of 2017**

Panchavarnam

... Petitioner

Vs.

1. The District Registrar,
Office of the District Registrar Registration
Office, Velunachiyar Campus,
Dindigul District.

2. The Sub Registrar No.II,
Office of the Sub Registrar Registration Office No.II,
Velunachiyar Campus,
Dindigul District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the second respondent to pass any appropriate orders based on the representation made by the petitioner dated 16.03.2017 and to take necessary action to register the gift deed pending before the respondents for the house properties in Survey No.308/1A, situated at Ward No.1, West Govindhapuram, Dindigul District, within the time stipulated by this Court.

For Petitioner : Mr.S.Lenin Prabu

For Respondents : Mr.M.Alagathevan

Special Government Pleader

ORDER

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

2. The petitioner seeks a writ of Mandamus to direct the second respondent to pass appropriate orders based on his representation dated 16.03.2017 and to register the gift deed pending before the second respondent in respect of the house properties in Survey No.308/1A, situated at Ward No.1, West Govindhapuram, Dindigul District.

3. The sole ground on which the registration is refused is that the will relied upon by the petitioner dated 11.07.1997 is an unregistered document.



4. It is common knowledge that the Will does not require registration. The circular of the Inspector General of Registration dated 25.04.2012 relied upon by the second respondent is not applicable in case of a Will.

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5. Therefore, there will be a direction to the second respondent - Sub Registrar No.II, Velunachiyar Campus, Dindigul District, to register the settlement deeds which are presented to him, without insisting upon the registration of the Will of the year 1997 said to have been executed by A.Marimuthu, son of V.Arunachalam Pillai, if other requirements of law regarding settlement are satisfied. The said exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

6. In the result, this writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS-III)

/True copy/

Sub Assistant Registrar

To

1. The District Registrar,
Office of the District Registrar Registration
Office, Velunachiyar Campus,
Dindigul District.
2. The Sub Registrar No.II,
Office of the Sub Registrar Registration Office No.II,
Velunachiyar Campus,
Dindigul District.

RSB

PSM/SKN/SAR1/30.06.2017/2P/3C

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