



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2017

CORAM:

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P(MD) No.12360 of 2017

T.Thillaisivakami

... Petitioner

-vs-

The Sub Registrar,
Aruppukottai Sub Registrar Office,
Thirusuli Road,
Aruppukottai.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, directing the respondent to register the rectification deeds submitted by the petitioner regarding gift settlement deeds registered in Document Nos.3658/2012, 3659/2012, 3660/2012 and 3661/2012 dated 11.07.2012 at the respondent's office as per representation dated 24.06.2017 and consider the claim of the petitioner.

For Petitioner : Mr.K.K.Kannan

For Respondent : Mr.C.Selvaraj

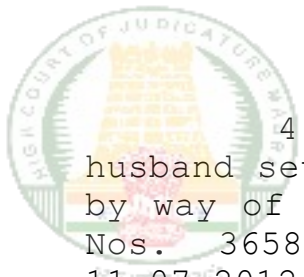
Special Government Pleader

O R D E R

The petitioner has come up with this present writ petition for issuance of a Writ of Mandamus, directing the respondent to register the rectification deeds submitted by the petitioner regarding gift settlement deeds registered in Document Nos.3658/2012, 3659/2012, 3660/2012 and 3661/2012 dated 11.07.2012 at the respondent's office based on representation dated 24.06.2017.

2. Heard Mr.K.K.Kannan, learned Counsel appearing for the petitioner and Mr.C.Selvaraj, learned Special Government Pleader appearing for the respondent.

3. The case of the petitioner is that she along with her husband jointly purchased a vacant site in Survey No.103/81 in Aruppukottai Town through a registered sale deed, dated 30.04.1960. Subsequently, they have constructed houses in the property and they were enjoying the same.



4. The petitioner would state that she along with her husband settled the property in favour of their sons and grandsons by way of four different settlement deeds registered as Documents Nos. 3658/2012 , 3659/2012 , 3660/2012 and 3661/2012, dated 11.07.2012, mentioning the Survey No.104/68 instead of correct survey No.103/81.

5. The petitioner would further state that her husband passed away on 08.07.2013 and thereafter, she presented the rectification deed to the respondent to correct the survey number. Since it was not accepted, she made a representation, dated 24.06.2017. Despite the same, no action was taken. Hence, this present writ petition has been filed.

6. Mr.K.K.Kannan, learned Counsel appearing for the petitioner, would submit that the petitioner filed rectification deeds only to correct the survey number and not in respect of the boundaries.

7. Mr.C.Selvaraj, learned Special Government Pleader appearing for the respondent, would submit that if the rectification deed is presented only with regard to change of survey number, the respondent would consider the same, if there is no objection from the other legal heirs.

8. In the light of the above facts, this writ petition is disposed of with a direction to the respondent to consider the representation, dated 24.06.2017 on merits and in accordance with law and pass orders within a period of eight weeks from the date of receipt of a copy of this order.

9. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(Protocol)

/ True Copy /

Sub Assistant Registrar(C.S.)

To
The Sub Registrar,
Aruppukottai Sub Registrar Office,
Thirusuli Road,
Aruppukottai.
+1cc to M/S.K.KANNAN, Advocate SR.No.64765
SM/DSK
MAS/SV/SAR4:19.07.2017:2P-3C

W.P(MD) No.12360 of 2017
11.07.2017