



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **26.10.2017**

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P(MD)No.19662 of 2017

S.Subramaniyan

.. Petitioner

Vs.

1. The District Registrar,
Dindigul Combined Registration Office,
Dindigul, Dindigul District.

2. The Sub Registrar,
Sub Registrar Office,
Dindigul, Dindigul District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, to direct the first and second respondent to issue the petitioner with a certified copy of the Registered Will in the Document No.8 of 1989 dated 09.02.1989 based on the petitioner's representation dated 12.10.2017.

For Petitioner : Mr.D.Selvaraj

For Respondents : Mr.T.S.Mohammed Mohideen
Additional Government Pleader

ORDER

This writ petition is filed seeking to direct the first and second respondent to issue a certified copy of the Registered Will dated 09.02.1989 based on the representation dated 12.10.2017.

2. According to the learned counsel for the petitioner, the parents of the petitioner executed a Will on 09.02.1989, in favour of the petitioner and his brother. After the demise of his parents, the Will came into force and the petitioner and his brother are in possession and enjoyment of the property. Since the petitioner lost the original will, he applied for a certified copy, which followed by representations dated 12.08.2017 and 12.10.2017, expressing his willingness to bear the charges. Despite the application and representations the first respondent has not issued any certified copy as prayed for. Aggrieved over the inaction on the part of the first respondent, the petitioner is before this Court, seeking appropriate direction to the



respondents.

3.The learned Additional Government Pleader appearing for the respondents would submit that the representations of the petitioner would be considered on merits within the time stipulated by this Court.

4.This Court is of the view that it is only a limited prayer to the extend of furnishing a copy of the Will executed by the petitioner's parents. Hence, the respondents are directed to consider the prayer of the petitioner and accordingly the copy of the Will, on payment of necessary charges to be furnished to the petitioner within a period of two weeks from the date of receipt of a copy of this order.

5.With the above directions, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

1. The District Registrar,
Dindigul Combined Registration Office,
Dindigul, Dindigul District.
2. The Sub Registrar,
Sub Registrar Office,
Dindigul, Dindigul District.

+ 1 cc TO Mr.D.Selvaraj , Advocate in SR No. 83742
+1cc to The Special Government Pleader in SR.No.84063

dsk
AE/KP/SAR4/02.11.2017/2P/5C

ORDER MADE IN
W.P(MD)No.19662 of 2017
26.10.2017