

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.6280 of 2018

M.Natarajan
S/o.Mannar Reddiyar

.. Petitioner

Vs.

The Sub Registrar
The Sub Registrar Office
Valathi, Melmalaiyanur Taluk,
Villupuram District.

.. Respondent

Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondent herein to release the settlement deed dated 18.12.2017 which was registered as Doc.No.1427 of 2017 on the file of the respondent.

For Petitioner : Mr.Gowrisankar

For Respondent : Mr.B.Anandan
Government Advocate

O R D E R

Mr.B.Anandan, learned Government Advocate takes notice for the respondent. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a direction to the respondent to release the Settlement Deed dated 18.12.2017, registered as Document No.1427 of 2017.

3. It is the case of the petitioner that in pursuant to the partition taken place on 10.05.2016, the subject matter property was allotted to the petitioner as his share and thereafter, he executed the subject matter settlement deed in favour of his wife and got the same registered before the respondent. The grievance of the petitioner before this Court is that even after such registration, the respondent is not releasing the settlement deed for the reason best known to him. Therefore,

the petitioner made a representation on 02.02.2018, for releasing the document, which has not been considered by the respondent so far.

4. Needless to say that once the document is registered, unless there is legal impediment for retaining the document, the respondent is not entitled to retain the same without even passing any order and communicated the same to the petitioner so far. Therefore, this writ petition is disposed of, by directing the respondent to consider the claim of the petitioner for releasing the said document and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

mk

To

The Sub Registrar
The Sub Registrar Office
Valathi, Melmalaiyanur Taluk,
Villupuram District.

+lcc to Mr.Gowrisankar, Advocate, S.R.No.21584

+lcc to the Government Pleader, S.R.No.21418

सत्यमेव जयते

W.P.No.6280 of 2018

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