

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2018

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.14729 of 2018

D.Vijay

... Petitioner

Vs.

The Joint Sub Registrar-I,
Chennai North, 1st Floor,
Kuralagam Building, Chennai.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondent to issue the certified copy of the Will dated 23.09.1981 bearing Document No.123/1981 registered with the respondent.

For Petitioner : Ms.R.Meenal for M/s.S.Raveekumar

For Respondent : Mr.T.M.Pappiah,
Special Government Pleader

O R D E R

This Writ Petition has been filed seeking for issuance of Writ of Mandamus directing the respondent to issue the certified copy of the Will dated 23.09.1981 bearing Document No.123/1981 registered with the respondent.

2.The learned counsel appearing for the petitioner submitted that the petitioner's grandfather T.Loganathan, had executed a Will dated 23.09.1981, giving only life interest to his son, (i.e.) the petitioner's father and after the death of his son, the property should devolve to his children, (i.e.) grand children of T.Loganathan, equally and absolutely with all rights and till then the petitioner's father had only life interest. Hence, as per the Will dated 23.09.1981, the petitioner is also a beneficiary. On coming to know of this fact, the petitioner had submitted an application on 23.03.2018 in the prescribed format, along with necessary fee, to the Registrar Chennai North seeking for certified copy of the Will. But without any reason being assigned, the petitioner's application was refused to be

received. Hence, the petitioner has come to this Court seeking for a direction to the respondent to accept his application seeking for the certified copy of the Will dated 23.09.1981 executed by T.Loganathan, the grandfather of the petitioner.

3.Mr.T.M.Pappiah, learned Special Government Pleader appearing for the respondent fairly submitted that the petitioner's request is reasonable and the same would be considered subject to production of the Death Certificate of the Testator T.Loganathan, the grandfather of the petitioner.

4.Recording the submission made by the learned Special Government Pleader, the Writ Petition is allowed and the petitioner is directed to produce a copy of the Death Certificate of his grandfather T.Loganathan, along with the application and a copy of this order. On receipt of the same, the respondent shall consider the application of the petitioner within one week. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

va

To

The Joint Sub Registrar-I,
Chennai North, 1st Floor,
Kuralagam Building, Chennai.

+1cc to M/s.S.Raveekumar, Advocate sr.no.39481
+1cc to Government Pleader in sr.no.39896

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