

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :15.11.2018

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.29908 of 2018

Mrs.Muthulakshmi,

... Petitioner

Vs.

1. The State Rep. by its
Secretary to Government,
Commercial Taxes and Registration Department
Secretariat, Chennai - 600 009.
2. The Inspector General of Registration,
No.100, Santhome High Road,
Mylapore, Chennai - 600 028.
3. The District Registrar,
Namakkal District - 637 001.
4. The Sub-Registrar,
Paramathivelur & Taluk,
Namakkal District - 637 007.
5. K. Shanmugam,
6. Mrs. Pavayee,
7. S. Ramesh,
8. Mrs. Mariyayee,
9. M. Selvaraj,
10. Murugan,
11. Senthil Kumar,

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 3rd respondent to direct 4th respondent to cancel the partition deed executed on 22.10.1981 by the father of 5th respondent as Doc.No.542 of 1981 in favour of 5th and 6th respondents on the grounds of being repugnant to the provisions of Hindu Succession

(Amendment) Act 2005 as well as sale deed Doc.No.1488 of 2013 registered on 08.05.2013 by the 5th respondent in favour of respondents 9-11 for non-consideration received in regard to petitioner's 1/4th share interest rights as coparcener.

For Petitioner : Mr.A.S.Palanisamy

For RR1 to R4 : Mr.V. Shanmugasundar
Special Government Pleader

O R D E R

This Writ Petition has been filed seeking a direction to the third respondent to direct the fourth respondent to cancel the partition deed executed on 22.10.1981 by the father of the fifth respondent as Doc.No.542 of 1981 in favour of 5th and 6th respondent on the ground of being repugnant to the provisions of Hindu Succession (Amendment) Act 2005 as well as sale deed Doc.No.1488 of 2013 registered on 08.05.2013 by the 5th respondent in favour of respondent 9-11 for non-consideration received in regard to petitioner's 1/4th share interest rights as coparcener.

2. Heard, Mr.A.S.Palanisamy, learned counsel for the petitioner and Mr.V.Shanmugasundar, learned Special Government Pleader appearing for the respondents 1 to 4. Perused the materials available on record.

3. Considering the facts and circumstances of the case and also on going through the materials on record, this Court is of the view that this petition is not maintainable, under Article 226 of Constitution of India.

4. In view of the same this petition stands dismissed. However, the petitioner is at liberty to approach the appropriate forum for redressing her grievance, if she is so advised. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

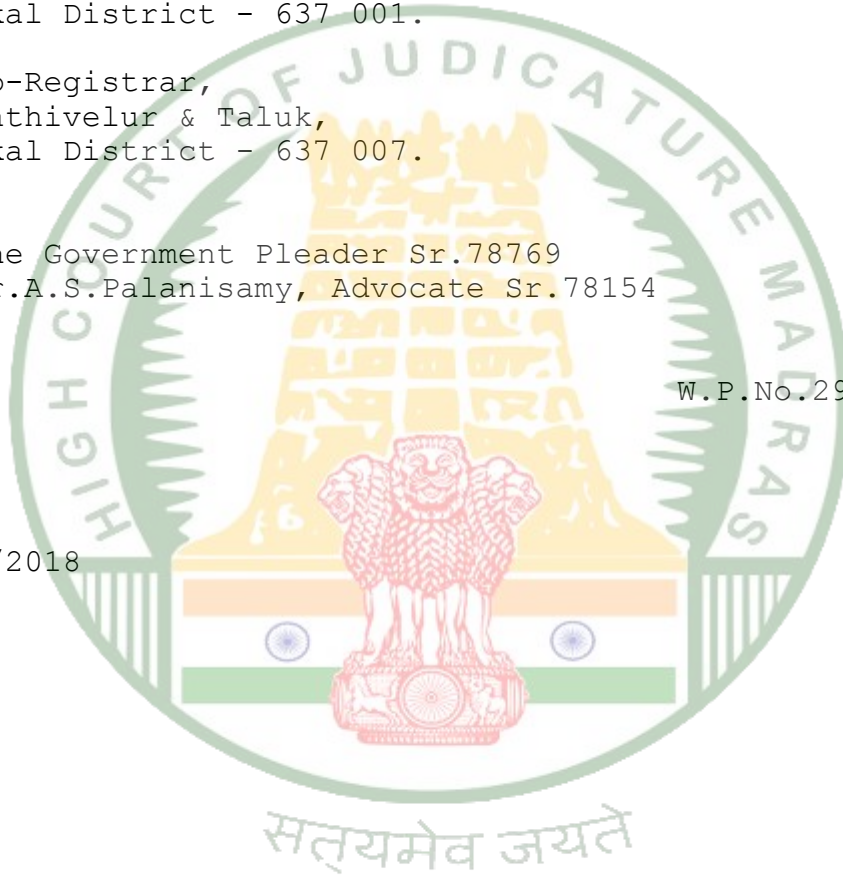
1. The Secretary to Government,
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4. The Sub-Registrar,
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Namakkal District - 637 007.

+1cc to the Government Pleader Sr.78769

+2cc to Mr.A.S.Palanisamy, Advocate Sr.78154

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sj[col]
srg 10/12/2018



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