



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.08.2019

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

WEB COPY

W.P. (MD)No.18490 of 2019

M.Banumathy

...Petitioner

-Vs-

The Sub Registrar,
Velayuthampalayam,
Registration Department,
Karur District.

...Respondent

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondent to return the original document bearing registration No.397 of 2019 on his file to the petitioner.

For Petitioner : Mr.R.Murali

For Respondent : Mr.V.Anand, G.A.

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the respondent to return the original document bearing registration No.397 of 2019 on his file to the petitioner.

2.Heard Mr.R.Murali, learned counsel appearing for the petitioner and Mr.V.Anand, learned Government Advocate appearing for the respondent.

3.The son of the petitioner seems to have executed a settlement deed in favour of the petitioner in respect of the land in natham S.No.167/B4 at Velayuthampalayam, Karur District and the same was registered as document No.397/19 at the respondent office. However, the document is yet to be released.

4.In this regard, on apprehension that the said settlement deed may be cancelled by her son for some family dispute, the petitioner has given a representation dated 30.04.2019 to the respondent and therefore, the learned counsel appearing for the petitioner, in this context, would submit that, even though the said representation has been given not to cancel the settlement deed already registered in favour of the petitioner, he would confine the prayer that, let the respondent decide the said representation only in the context as to whether the settlement deed already been registered in favour of the petitioner settled by her son can be released as the same has not so far been released and kept pending with the respondent office.



5.I have heard the learned Government Advocate appearing for the respondent, who would submit that, the said representation of the petitioner dated 30.04.2019 would be considered and decided on merits only to the extent whether the document in question i.e., the settlement deed in favour of the petitioner settled by her son one Ranjith Kumar can be released or not and accordingly, a decision would be taken thereon and to be intimated to the petitioner, within a time frame to be stipulated by this Court.

5.Considering the submission made by both sides, this Court is inclined to dispose of this writ petition, with the consent of both the parties, at the stage of admission itself, with the following direction:

"The respondent is hereby directed to consider the representation of the petitioner dated 30.04.2019 only in the context as to whether the document in question i.e., settlement deed made by the petitioner's son in favour of the petitioner, which has already been registered as document No.397/2019 can be released or not and accordingly, a final order to that effect shall be passed by the respondent, within a period of two weeks from the date of receipt of a copy of this order."

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

Arul

To
The Sub Registrar,
Velayuthampalayam,
Registration Department,
Karur District.

+1 CC to M/s.R. MURALI, Advocate (SR-83700[F] dated 28/08/2019)
+1 CC to M/s.SPL GP (SR-83966[F] dated 28/08/2019)

Order made in
W.P. (MD)No.18490 of 2019
Dated:
27.08.2019

SMA/19/12/19/2P/4C

<https://hcservices.ecourts.gov.in/hcservices/>