



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **24.09.2020**

CORAM

THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

W.P. (MD) No.2808 of 2018

J.Chellammal Saroja

... Petitioner

Vs

The Sub Registrar,
Mulakaraipatti,
Sub Registration Office,
Joint - 1, SRO,
Tirunelveli.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondent to complete the registration of the settlement deed presented before the respondent in TP/186739/2017 dated 28.11.2017.

For Petitioner : Mr.Ka.Raamakrishnan

For Respondent : Mr.K.Sathiya Singh
Additional Government Pleader

ORDER

This Writ Petition is filed to direct the respondent to register the settlement deed presented by the petitioner before the respondent in TP/186739/2017 dated 28.11.2017.

2.According to the petitioner, she purchased the property in S.No.84/6, measuring to an extent of 1.5 cents, situated at Kandiaperi Village, Tirunelveli District, under a registered sale deed document dated 08.03.1990. To bequeath the aforesaid property, though the petitioner had presented the draft settlement deed dated 28.11.2017 before the respondent through online, the same had not been registered, for which, the petitioner issued legal notice to the respondent on 30.11.2017. So far no action has been taken. Hence, the petitioner is before this Court.

3.In reply, the learned Additional Government Pleader appearing for the respondent would submit that based on the aforesaid legal notice dated 30.11.2017, this Court cannot entertain the writ petition and granted the relief as prayed for by the petitioner under Article 226 of the Constitution of India. Therefore, he would submit that if the petitioner makes a fresh representation before the respondent with regard to register the aforesaid settlement deed, the same will be considered on merits and in accordance with law.



4.The learned counsel appearing for the petitioner has agreed with the submission of the learned Additional Government Pleader.

5.In view of the submission made on either side, this Court is inclined to pass the following directions:-

i) the petitioner is directed to file a fresh representation before the respondent to workout her remedy, as expeditiously as possible;

ii) on receipt of such representation, the respondent / the Sub Registrar, Mulakaraipatti, Sub Registration Office, Joint - 1, SRO, Tirunelveli, is directed to consider the same and pass appropriate orders on merits and in accordance with law, at an earliest, by taking note of the fact that the writ petition is pending for more than two years and the decision of the same shall be communicated to the petitioner;

6.This Writ Petition stands disposed of, with the above directions. No costs.

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The Sub Registrar,
Mulakaraipatti,
Sub Registration Office,
Joint - 1, SRO,
Tirunelveli.

W.P. (MD) No.2808 of 2018
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SS(CO)
AP(05/10/2020) 2P 2C