

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.08.2021

CORAM

THE HON'BLE Mr. JUSTICE C.V.KARTHIKEYAN

W.P.No. 9910 of 2021

K.Devaki

... Petitioner

Vs.

1.The Tahsildar
Sholinganallur, Chennai - 600 119.

2.The Sub-Registrar
Neelankarai, Chennai - 600 097

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent Sub-Registrar, Neelankarai to register the Settlement Deed of the Petitioner in favour of her daughter.

For Petitioner .. Mr.G.Thiyagarajan

For Respondents .. Mr.K.M.D.Muhilan,
(Govt.Advocate)

ORDER

A Settlement Deed dated 31.01.2013 executed by the petitioner herein in favour of the daughter and presented for registration in the year 2021 was refused to be received by the Sub-Registrar, Neelankarai.

2.Thereafter, the writ petition has been filed in the nature of Mandamus seeking a direction against the 2nd respondent to register the particular Settlement Deed.

3.Heard Mr.G.Thiyagarajan, learned counsel appearing for the petitioner and Mr.K.M.D.Muhilan, learned Government Advocate appearing for the respondents.

4.The Settlement Deed is of the year 2013. Section 23 of the Registration Act, 1908 stares in the face of the petitioner herein. Let me therefore, not enter into any further discussion with respect to that particular document, but rather place an obligation to the petitioner, if circumstances still exists, present a fresh Settlement Deed of more proximate date less than four months and present the same before the Sub-Registrar, Neelankarai, for registration. I am confident, if other surrounding circumstances are proper and in accordance with due procedure, necessary official act will be done with respect to that Settlement Deed.

5.With the above observations, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

smv
To

1.The Tahsildar,
Sholinganallur,
Chennai - 600 119.

2.The Sub-Registrar,
Neelankarai,
Chennai - 600 097.

+1cc to the Government Pleader Sr.38072
+1cc to Mr.G.Thyagarajan, Advocate Sr.37892

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srg 23/08/2021