



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.10.2021

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.21180 of 2018

R.Swarna

...Petitioner

-Vs-

1. The District Revenue Officer,
Krishnagiri.
2. The Sub-Registrar,
Veppanapalli,
Krishnagiri Taluk and District.
3. The Tahsildar,
Taluk Office,
Krishnagiri,
Krishnagiri District.

4. Mr.R.Sriram

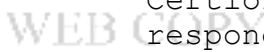
...Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records of the second respondent relating to proceedings issued in Check Slip No.1, dated 18.06.2018, quash the same and consequently direct the second respondent to accept the presentation of Settlement Deed to be presented by the petitioner in favour of her son Manohar, son of Venkatasamy in respect of lands to an extent of 1.26 acres in Survey No.85/4 of Poodhimutlu Village, Krishnagiri Taluk and District covered by Patta No. 623 and register the same and return the registered Settlement Deed in accordance with law within the time to be stipulated by this Hon'ble Court.

For Petitioner : Mr.R.Bharath Kumar

For R1 to R3 : Mr.M.R.Gokul Krishnan
Government Advocate.

For R4 : Mr.Kumarpal R.Chopra



ORDER



fourth respondent failed to appear for enquiry and the third respondent had sent a report dated 16.11.2015 to the first respondent recommending the case of the petitioner and recommended to issue patta in favour of the petitioner. In fact, this Court, by an order dated 13.02.2017 in W.P.No.3449 of 2017, directed the first respondent to dispose of her representation. Accordingly, the first respondent ordered for issuance of patta and the third respondent registered the name of the petitioner in the revenue records by an order dated 10.04.2018 and issued patta in her favour.

5. Thereafter, the petitioner intended to settle the subject property in favour of her son and presented the document of the settlement deed dated 18.06.2018 for registration. However, the second respondent without registering the same on the ground that the father of the fourth respondent has already settled the said property in favour of the fourth respondent by a settlement deed dated 04.02.2004 vide document No.95 of 2004. Therefore, the second respondent had sent the impugned notice dated 18.06.2018 and returned the document which was presented for registration by the petitioner. The petitioner as well the fourth respondent claimed title over the subject property and as such, it requires detailed enquiry. Therefore, the second respondent is directed to issue notice to the petitioner as well as the fourth respondent and after giving them an opportunity of hearing and pass orders on merits with regard to acceptance of the settlement deed presented for registration by the petitioner within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition is disposed of. No costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

Lpp/mn
To

1. The District Revenue Officer,
Krishnagiri.
2. The Sub-Registrar,
Veppanapalli,
Krishnagiri Taluk and District.



3. The Tahsildar,
Taluk Office,
Krishnagiri,
Krishnagiri District.

WEB COPY

+1 CC to The Government Pleader sr 52755

+2 CCs to Mr.R.Bharath Kumar, Advocate sr 52730, 52292.

W.P.No.21180 of 2018

RGN(CO)
SP(01/11/2021)