



WEB COPY



W.P.No. 23805 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2021

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P. No. 23805 of 2021

J. Jothiselvam @ J.Jothi

....

Petitioner

Vs

The Joint-II Sub Registrar,
South Chennai,
Saidapet,
Chennai – 600 015.

....

Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondent to release the release deed dated 19.03.2021 to the petitioner without any further delay.

For Petitioner : Mr.P.Sesubalan Raja

For Respondent : Mr.A.Selvendran
Government Advocate

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the respondent to release the release deed dated 19.03.2021 to the petitioner without any further delay.



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2. Heard, Mr.P.Sesubalan Raja, learned counsel appearing for the petitioner and Mr.A.Selvendran, learned Government Advocate appearing for the respondent.

3. The case of the petitioner is that the petitioner's father acquired various properties during his life time and he died intestate on 15.12.1997 leaving behind her mother and four daughters including the petitioner and six sons. One of her brother died in the year 2007 leaving behind his wife and three sons. Her mother Rajammal died intestate in the year 2017. Thereafter, all the legal heirs inherited the properties and they were in common possession and enjoyment. In the family arrangement, they have divided the properties. Asfar as the petitioner and other three sisters are concerned have executed a release deed dated 19.03.2021 in favour of their brothers in respect of their respective shares. However, they were not able to produce the original partition deed before the respondent while presenting the release deed for registration. Therefore, they were issued cheque slip dated 19.03.2021. It was challenged before this Court in W.P.No.8162 of 2021 and this Court by an order dated 31.03.2021, the petitioner and her sisters can file an affidavit as to the circumstances in which that they could not produce



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either the original documents or the certified copies of the documents and also produce any other documents that may indicate the pre-existence of the title. Accordingly, the petitioners filed their respective affidavits and presented the release deed for registration. On receipt of the same, the respondent herein failed to register the same and kept the documents as pending.

4. Considering the above, the respondent is directed to verify the documents which was presented for registration along with the other documents filed in support of release deed and register the same, within a period of two weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No order as to costs.

08.11.2021

Index : Yes/No.
Internet : Yes/No.
Lpp



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To

The Joint-II Sub Registrar,
South Chennai,
Saidapet,
Chennai – 600 015.



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G.K.ILANTHIRAIYAN, J
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