



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2021

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.8727 of 2021

S.William

... Petitioner

Vs.

1.The District Registrar,
Registration Department,
Dindigul District.

2.The Sub-Registrar,
Sanarpatti Sub-Registrar Office,
Dindigul District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the respondents to consider and dispose of the petitioner's Objection pending as Receipt No.688/2021, dated 15.02.2021 on the file of the 2nd respondent as expeditiously as possible within the period as prescribed by this Hon'ble Court.

For Petitioner : Mr.S.Elumalai

For Respondents : Mr.K.Sathiya Singh

Additional Government Pleader

ORDER

This writ petition has been filed for the issuance of Writ of Mandamus, directing the second respondent to consider the objection petition given by the petitioner, on 15.02.2021, before entertaining any document for registration pertaining to the subject property.

2.The case of the petitioner is that the subject property originally belonged to the father of the petitioner and his brother as a joint property and through an oral partition, they divided the property equally as 44 ares for each of the sharer and they also decided to keep the remaining 17 ares in common.

3.The further case of the petitioner is that the petitioner and his brother came to inherit the property and they divided the property equally among themselves.

4.The grievance of the petitioner is that some of the persons, whose names were wrongfully included in patta No.1428, which pertains to the subject property in S.No.509/1D, took advantage of the same, and are attempting to deal with the property. Hence, the petitioner made a protest petition before the second respondent, on 15.02.2021. Since the same was not considered, the present writ



petition has been filed before this Court.

5.Heard Mr.Elumalai, learned counsel for the petitioner and Mr.K.Sathiya Singh, learned Additional Government Pleader, for the respondent.

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6.Taking into consideration the facts and circumstances of this case and the limited relief sought for in this writ petition, there shall be a direction to the second respondent to consider the protest petition made by the petitioner, on 15.02.2021, before entertaining any document for registration pertaining to the subject property and thereafter, take a decision regarding the registration of the document in accordance with law.

7.The petitioner is directed to make a fresh representation to the second respondent along with all the relevant documents and also a copy of this order.

8.This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

1.The District Registrar,
Registration Department,
Dindigul District.

2.The Sub-Registrar,
Sanarpatti Sub-Registrar Office,
Dindigul District.

+1 CC to M/s.AGP (SR-18052[F] dated 29/04/2021)

W.P. (MD) .No.8727 of 2021
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DKS(CO)
KB(08.06.2021) 2P 4C