



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 07.12.2021
CORAM

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

WEB COPY

W.P. (MD)No.20964 of 2021
and
W.M.P. (MD)No.17563 of 2021

R.Kiran

... Petitioner

vs.

1.The Inspector General of Registration,
100, Santhome High Road,
Raja Annamalai Puram, Chennai - 600 0028.

2.The District Registrar,
District Registrar Office,
Madurai North, Madurai.

3.The Sub Registrar,
Sub Registrar Office,
T.Vadipatti, Madurai.

4.J.Premnath Singh
5.J.Bhasanthi Bai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to forebear the 1 to 3 respondents herein from any manner registering the document in respect of the S.Nos.1/8A4A to an extent of 8 cents in Patta No.2131, 1/8A4C to an extent of 1 ¼ cents in Patta No.2130, 1/8A4B to an extent of 1 ¼ cents in Patta No.2130, 1/8A4D to an extent of 8 cents in Patta No.891 and 1/8A4E to an extent of 3 cents in Patta No.891 in Neerethan Village, Vadipatti Taluk, Madurai District presented by the 4th and 5th respondents herein pending disposal of the suit in O.S.No.121 of 2021 before the District Munsif Court, Vadipatti by considering the petitioner's representation by way of objection, dated 02.11.2021 and 03.11.2021.

For Petitioner	: Mr.V.Meenakshi Sundaram for Mr.S.Vashik Ali
For R1 to R3	: Mr.S.Kameswaran Government Advocate
For R4 and R5	: No Appearance

**O R D E R**

This Writ Petition has been filed in the nature of Mandamus to forbear the respondents 1 to 3 herein from any manner registering the document in respect of S.Nos.1/8A4A, 1/8A4C, 1/8A4B, 1/8A4D and 1/8A4E in Neerethan Village, Vadipatti Taluk, Madurai District presented by the 4th and 5th respondents herein pending disposal of the suit in O.S.No.121 of 2021 pending before the District Munsif Court, Vadipatti by considering the petitioner's representation by way of objection, dated 02.11.2021 and 03.11.2021.

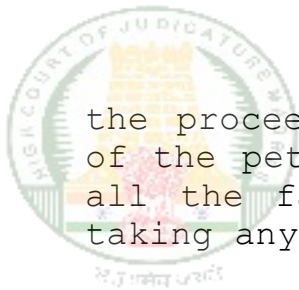
2.Heard Mr.V.Meenakshi Sundaram, learned Counsel for the petitioner and Mr.S.Kameswaran, learned Government Advocate appearing for R1 to R3.

3.It appears that the petitioner and her sister had instituted a suit in O.S.No.121 of 2021, which is now pending on the file of the District Munsif Court at Vadipatti against the respondents 4 and 5, who are none else than their brother and mother. It is not for this Court to examine the nature of the suit or relief which is sought, but it is to be noted that the petitioner and her sister claimed that they are also the legal heirs of their deceased father, N.Jegannath Singh.

4.There are also family properties. Since the respondents 4 and 5 appear to have not recognised the status of the petitioner and her sister as legal heirs, it is the grievance raised by the learned Counsel for the petitioner that the respondents 4 and 5 have continued to have taken upon themselves the object of disposing the properties, over which the petitioner claims she also reasonably expects to be entitled to a share.

5.In this connection, the petitioner had given a representation to the third respondent/Sub Registrar, Vadipatti. The learned Counsel for the petitioner draws the strength from the further fact that the sister of the petitioner had also given a similar representation and I am informed that the third respondent/Sub Registrar, Vadipatti, had initiated enquiry on that representation. A copy of the notice issued to the sister of the petitioner for appearance for a enquiry on 09.11.2021 has been forwarded to this Court.

6.A direction is therefore issued to the third respondent to also issue notice to the petitioner herein with respect to the representation dated 01.11.2021 given by the petitioner's sister/Bindu Balamukesh Singh in Petition No.26 of 2021, against J.Basanthi Bai, wife of N.Jegannath Singh, residing at Sing Street, Vadipatti, Madurai, who had also in turn, for good measure given a representation on 25.10.2021. Let the petitioner join in



the proceedings and let the third respondent ensure the presence of the petitioner, thereby, complying with the process of hearing all the family members, who claim right to the property before taking any considered decision.

7.I am further informed by Mr.S.Kameswaran, learned Government Advocate that a further notice had been issued for appearance before the third respondent on 10.12.2021. A copy of the notice had also been forwarded to this Court and it is seen that the notice has also been directed to the petitioner herein. Whether the petitioner received the said notice or not, the petitioner may participate in the proceedings on 10.12.2021 and an obligation is placed on the third respondent herein to hear the objections, if any, raised by the petitioner either orally or in writing and also consider all records or any documents presented by the petitioner.

8.With the said observations, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

1.The District Munsif, Vadipatti.

2.The Inspector General of Registration,
100, Santhome High Road,
Raja Annamalai Puram, Chennai - 600 0028.

3.The District Registrar,
District Registrar Office,
Madurai North, Madurai.

4.The Sub Registrar,
Sub Registrar Office,
T.Vadipatti, Madurai.

+1 CC to M/s.D.NALLATHAMBI, Advocate (SR-37851[F] dated 08/12/2021)

+1 CC to M/s.SPL GP (SR-37765[F] dated 08/12/2021)

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