



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.1533 of 2022

D.Saravana Kumar

....

Petitioner

Vs

1.The Inspector General of Registration,
No.100, Santhome High Road,
R.A.Puram, Chennai-600 028.

2.The Deputy Inspector General of Registration,
Salem.

3.The District Registrar,
Namakkal, Taluk & District.

4.The Sub-Registrar,
Mohanur & Taluk,
Namakkal District.

5.K.Ponnisamy

6.K.Palanisamy

7.B.Bharathi

8.P.Bakiyalakshmi

....

Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents 1 to 4, particularly the 3rd respondent to cancellation the partition deed dated 22.10.2020, registered as Doc.No.2569/2020, SRO, Mohanur in respect of the following properties:

(a) A property, situated at Kumaripalayam village, Mohanur Taluk, Namakkal District, comprised in Survey No.104/1, to extent of 759 sq.ft., with 634 sq.ft., house i.e.to the extent of 231/2 feet x 27 feet;

(b) Another property, situated at Kidaram Village, Thottiyam Taluk, Trichy District, comprised in Survey No.165, (as per UDR Patta 564, Survey No.165/3, to an extent of 0.56), but mentioned as S.No.165/1, to an extent of 0.52 cents in the subject partition deed, out of acre 6.52 cents; on the basis of the petitioner's representation dated 24.11.2021.



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For Petitioner : Mr.R.Thanjan

For R1 to R4 : Mr.Yogesh Kannadasan
Spl.Government pleader

ORDER

This writ petition has been filed for issuance of Writ of Mandamus, to direct the respondents 1 to 4, particularly the 3rd respondent to cancellation the partition deed dated 22.10.2020, registered as Doc.No.2569/2020, SRO, Mohanur in respect of the property, situated at Kumaripalayam village, Mohanur Taluk, Namakkal District, comprised in Survey No.104/1, to extent of 759 sq.ft., with 634 sq.ft., house i.e. to the extent of 231/2 feet x 27 feet and the property, situated at Kidaram Village, Thottiyam Taluk, Trichy District, comprised in Survey No.165, (as per UDR Patta 564, Survey No.165/3, to an extent of 0.56), but mentioned as S.No.165/1, to an extent of 0.52 cents in the subject partition deed, out of acre 6.52 cents, on the basis of the petitioner's representation dated 24.11.2021.

2. Heard, Mr.R.Thanjan, learned counsel appearing for the petitioner and Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for the respondents 1 to 4.

3. The petitioner lodged a compliant before the third respondent as against the execution of partition deed between the respondents 5 to 8 herein without having any title over the property and it is pending.

4. Considering the above, the third respondent is directed to conduct enquiry on the representation of the petitioner dated 24.11.2021, after issuance of notice to the petitioner and the respondents 5 to 8 and after giving them an opportunity of hearing and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CS-CCC)

//True copy//

Sub Assistant Registrar



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To

1.The Inspector General of Registration,
No.100, Santhome High Road,
R.A.Puram, Chennai-600 028.

2.The Deputy Inspector General of Registration,
Salem.

3.The District Registrar,
Namakkal, Taluk & District.

4.The Sub-Registrar,
Mohanur & Taluk,
Namakkal District.

+1cc to Mr.R.Thanjan, Advocate SR.No.7472

+1cc to Government Pleader SR.No.8034

W.P.No.1533 of 2022

KG(CO)
GMY(24/02/2022)