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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.5327 of 2022

C.N.Gnanambal

...Petitioner

Vs.

1.The Sub-Registrar Joint-II,  
Saidapet,  
Nandanam,  
Chennai-600 035.

2.The Inspector General of Registration,  
Office of the Inspector General of Registration,  
Santhome,  
Chennai-600 004.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned refusal slip No.RFL/2, Sub Registrar, Joint II, South Chennai/3/2022 dated 27.01.2022 and quash the same as illegal and consequently direct the first respondent to register the Settlement Deed dated 27.01.2022 for the property being 1/4<sup>th</sup> undivided share in house and ground 2660 Sq.ft. in S.No.91/2, T.S.No.17, situated at Old Door No.24, New Door No.6, Devunaidu Street (previously Kothavalchavadi Street), Saidapet, Chennai-600 015.

For petitioner : Mr.V.Siva Kumar

For Respondents : Mr.Yogesh Kannadasan  
Special Government Pleader

ORDER

The petitioner has filed this petition to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned refusal slip No.RFL/2, Sub Registrar, Joint II, South Chennai/3/2022 dated 27.01.2022 and quash the same as illegal and consequently direct the first respondent to register the Settlement Deed dated 27.01.2022 for the property being 1/4<sup>th</sup> undivided share in house and ground 2660 Sq.ft. in S.No.91/2, T.S.No.17, situated at Old Door No.24, New Door No.6, Devunaidu



Street (previously Kothavalchavadi Street), Saidapet, Chennai-600 015.

2. Mr.Yogesh Kannadasan, learned Special Government Pleader takes notice for the respondents. In view of the limited relief sought for in this petition and on the consent expressed by the learned counsel appearing on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner is the owner of the property comprised in S.no.91/2, T.S.No.17 (part), Block No.13, measuring an extent of 2660 sq.ft, situated at Kothavalchavadi Street, Saidapet Village, Mambalam-Guindy Taluk, Chennai. The petitioner acquired the above said property by a Sale deed, dated 01.04.1976, and the same was registered as Document No.775/1976, on the file of the Joint Sub-Registrar-II, Saidapet. Thereafter, the petitioner had settled the above said property in favour of her Son/N.Panneer Selvan by a registered Sale Deed dated 23.10.2009, registered as Doc.No.1717/2009 on the file of Sub-Registrar Joint-I, Saidapet. However, the said Panneer Selvan died intestate on 26.06.2020, leaving behind the petitioner, his wife and children as legal heirs to succeed his property. Thereafter, the petitioner wants to settle her 1/4<sup>th</sup> share in the above said property in favour of her another son. Hence, the petitioner made a representation dated 27.01.2022 before the first respondent to register the Settlement Deed dated 27.01.2022, and the same was refused to be registered by the first respondent on the premise that original document of earlier Settlement Deed dated 23.10.2009 was not produced. Challenging the same, the present Writ Petition has been filed by the petitioner for the above relief.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court directs the first respondent to register the petitioner's Settlement Deed, dated 27.01.2022 within the time frame that may be fixed by this Court.

5. The learned Special Government Pleader appearing for the respondents submits that the petitioner's representation dated 27.01.2022 will be considered by first respondent within the time frame that may be fixed by this Court, if the petitioner produce a copy of the parent document.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the first respondent to entertain the document presented by the petitioner, and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order and the petitioner is directed to produce a copy of the parent document at the time of executing Settlement Deed.



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7. Accordingly, this writ petition is disposed of with the aforesaid direction. No costs.

Sd/-  
Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar

tri/skt

To

1.The Sub-Registrar Joint-II,  
Saidapet, Nandanam,  
Chennai-600 035.

2.The Inspector General of Registration,  
Office of the Inspector General of Registration,  
Santhome, Chennai-600 004.

+1cc to Mr.V.Siva Kumar, Advocate, S.R.No.15812

+1cc to the Government Pleader, S.R.No.16668

W.P.No.5327 of 2022

GPL(CO)  
RVM(28/03/2022)