



WEB COPY



W.P.No.15769 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.15769 of 2022

Saravanan

... Petitioner

Vs.

The Sub Registrar,
Office of the Sub Registrar,
Gudiyatham, Vellore District.

... Respondent

PRAYER: The Writ Petition filed under Section 226 of the Constitution of India, pleased to issue a Writ of Mandamus directing the respondent to return the Partition Deed vide Pending Document No.P9/2022 dated 01.06.2022 to the petitioner.

For Petitioner : Mr.S.Arivazhagan

For Respondent : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the respondent to return the Partition Deed vide Pending Document No.P9/2022 dated 01.06.2022 to the petitioner.

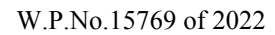


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2. It is the case of the petitioner that, originally the petitioner's father namely Nandha Gopal Chettiyar was the owner of the properties in S.Nos.130/3, 22/1A, 22/1B, 38/2 and 38/5 in Rangasamuthiram Village, Vellore District. After his demise, his legal heirs were in possession and enjoyment of the said property. Thereafter, they entered into a partition deed, which was presented before the respondent for registration on 01.06.2022 and the respondent assigned the said document as pending document No.P9. Since the said document was not returned to the petitioner, he has filed the present writ petition seeking the aforesaid relief.

3. The learned counsel for the petitioner submitted that it would suffice if this Court issues a direction to the respondent to pass orders on the document which was presented by the petitioner dated 01.06.2022 within a time frame that may be fixed by this Court.

4. The learned Special Government Pleader appearing for the respondent submitted that petitioner claims that the above said property was decreed in favour of said Nandha Gopal Chettiyar in a different suit proceedings, however, the patta was not annexed with the said document which



5. Heard the arguments advanced on either side and perused the materials placed on record.

6. Taking into consideration the factual aspects of the matter, this Court without going into the merits of the case, directs the respondent to conduct enquiry and pass appropriate orders after affording an opportunity of hearing to the petitioner as well as aggrieved persons if any, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above observations and direction, the Writ Petition is disposed of. No costs.

24.06.2022

RAP

Speaking Order : Yes/No

Index : Yes/No



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M.DHANDAPANI,J

RAP

To
The Sub-Registrar,
Avalpoondurai Sub-Registrar Office,
Erode District.

W.P.No.15769 of 2022

24.06.2022