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W.P.No.25765 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.25765 of 2022

M.Elumalai

... Petitioner

Vs.

The Joint Sub – Registrar - I,
Kancheepuram Registration Office,
Kancheepuram District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to register the Settlement Deed pending on the file of respondent in pending Document No.53 of 2022 dated 19.04.2022 and release the same to the petitioner.

For Petitioner	:	Mr.N.Edwin Jeyakumar
For Respondent	:	Mr.E.Vijay Anand, Additional Government Pleader

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the respondent to register the Settlement Deed pending on the file of respondent in pending Document No.53 of 2022 dated 19.04.2022 and release the same to the petitioner.



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2. The case of the petitioner is that he had purchased a property at 4th Zone, Sengazhininerodai Veethi, Kancheepuram Corporation, Kancheepuram District, from several persons namely, Mr.Raman, Mr.Arivazhagan, Mr.Karthikeyan and Mr.Nataraja Gramani, through a registered Sale Deed, dated 25.01.1993, vide Doc.No.67/1993 on the file of Joint Sub Registrar-I Office, Kancheepuram District. Further, the petitioner intended to settle the aforesaid property to his children, and executed a Settlement Deed, dated 19.04.2022 in their favour. Thereafter, the petitioner presented the said document before the respondent for registration. However, the said document was kept as pending in Pending Document No.53 of 2022 on the ground that the legal heirs of said Late. Nataraja Gramani filed a Suit in O.S.No.133/2020 before the Principal District Court, Kancheepuram, and the same is pending. The grievance of the petitioner is that the said Suit is filed only for issuance of Legal Heirship Certificate in favour of them, and the Suit is no way connected with the petitioner nor his property. Hence, the petitioner filed the present Writ Petition for the aforesaid relief.

3. The learned counsel for the petitioner submitted that it would



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suffice, if this Court issues a direction to the respondent to register the Settlement Deed, dated 19.04.2022 pending on the file of respondent in Pending Document No.53 of 2022 and pass orders within a stipulated time frame that to be fixed by this Court.

4. The learned Additional Government Pleader appearing for the respondent submitted that the document presented by the petitioner will be entertained and appropriate orders will be passed, if it is otherwise in order.

5. Recording the submission made by the learned Additional Government Pleader, this Court directs the respondent to entertain the document presented by the petitioner, if it is otherwise in order 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 pay requisite Stamp Duty and Registration Charges.

6. With the above observations and directions, this Writ Petition is disposed of. No costs.

26.09.2022

Index : Yes / No

Speaking order: Yes/ No

<https://www.mhc.tn.gov.in/judis>



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To

The Joint Sub – Registrar - I,
Kancheepuram Registration Office,
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M.DHANDAPANI, J.

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