



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.8109 of 2022

C.B.Sermakani

... Petitioner

Vs.

1.The Inspector General of Registration,
Registrar General Office,
100, Santhom High Road,
Chennai - 600 122.

2.The District Registrar,
District Registration Office,
Madurai Road, Periyakulam,
Theni District.

3.The Sub Registrar,
Sub Registrar Office,
Near New Bus Stand,
Theni, Theni District.

4.Mangammal

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to cancel the partition deed executed in favour of the fourth respondent and her family members in Doc.Nos.4568/2015 dated 08.07.2015 in survey No.892/2A2 situated at Kodankipatti Village, Bodinaickanur Taluk, Theni District based on the petitioner's representation dated 25.02.2022.

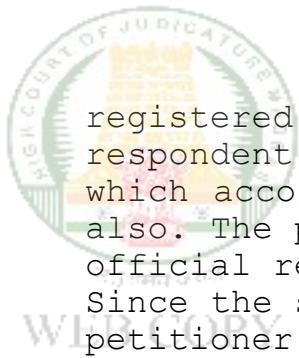
For Petitioner : Mr.R.Manoharan

For Respondents 1 to 3 : Mr.J.John Rajadurai
Government Advocate

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the second respondent to cancel the partition deed dated 08.07.2015 based on the petitioner's representation dated 25.02.2022, within a time frame to be fixed by this Court.

2.According to the petitioner, her ancestral property has been fraudulently included in the partition deed dated 08.07.2015



registered as Document No.4568 of 2015, by which the fourth respondent and her family members have been allotted properties which according to the petitioner includes her ancestral properties also. The petitioner has given a representation on 25.02.2022 to the official respondents seeking for cancellation of the partition deed. Since the said representation has not been considered till date, the petitioner has filed this writ petition.

2. Heard Mr.R.Manoharan, learned Counsel appearing for the writ petitioner and Mr.J.John Rajadurai, learned Government Advocate who accepts notice on behalf of the respondents 1 to 3.

3. The petitioner has filed documents along with this writ petition in order to substantiate her claim that the subject properties which are involved in the partition deed dated 08.07.2015 bearing Document No.4568/2015, are her ancestral properties. According to the petitioner, the fourth respondent and her family members have fraudulently included the petitioner's ancestral properties also in the partition deed dated 08.07.2015 registered as Document No.4568/2015. The petitioner seeks for cancellation of the said document and has given a representation dated 25.02.2022 for the said purpose with the official respondents.

4. No prejudice would be caused to the official respondents if the petitioner's representation is considered on merits and in accordance with law after affording a fair hearing to the petitioner and the fourth respondent and other parties to the partition deed dated 08.07.2015, including granting them the right of personal hearing within a time frame to be fixed by this Court.

5. For the foregoing reasons, this Court directs the first respondent to pass final orders on the petitioner's representation dated 25.02.2022 seeking for cancellation of the partition deed dated 08.07.2015 registered as Document No.4568/2015, in respect of the property comprised in Survey No.892/2A2 situated at Kodankipatti Village, Bodinaickanur Taluk, Theni District, within a period of twelve [12] weeks from the date of receipt of a copy of this order after affording a fair hearing to the petitioner and the fourth respondent and other parties to the partition deed dated 08.07.2015.

6. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (RTI)

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/ /2022

Sub Assistant Registrar (CS)



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+1 CC to M/s.SPL.GP (SR-22372[F] dated 28/04/2022)

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_RD(13.05.2022) 3P 5C