

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.07.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.18358 of 2021

Subramaniya Thevar

... Petitioner

Vs.

1. The Inspector General (Registration),
Department of Registration,
Santhome High Road,
Chennai.

2. The District Registrar,
Department of Registration,
Muthoorani,
Karaikudi.

3. The Sub Registrar,
Thiruvadanai Sub-Registrar Office,
Department of Registration,
Ramanathapuram District.

4. The Tahsildar,
Thiruvadanai Taluk Office,
Ramanathapuram District.

5. R.M.Kalyani

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the second respondent proceedings in Na.Ka.No.1422/AA1/2021 dated 18.08.2021 and quash the same and consequently direct the third respondent to register the petitioner's inam settlement deed dated 26.04.2021.

For Petitioner : Mr.P.Muthusamy

For R-1 to R-4 : Mr.J.K.Jayaseelan,
Government Advocate.

For R-5 : No appearance.

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ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Additional Government Pleader appearing for respondents 1 to 4.

2. Though the fifth respondent has been served and her name is printed in the cause list, she has not chosen to enter appearance.

3. The writ petitioner wants to settle the petition mentioned land in favour of his son. When the settlement deed was presented for registration, the second respondent declined to entertain the document on the ground that in respect of the very same property, the fifth respondent had already executed a deed.

4. Questioning the same, the present writ petition has been filed.

5. It is seen that the petitioner herein had purchased the petition mentioned property vide sale deed dated 24.04.2008. It was a registered document. The petitioner also has patta in his favour. A copy of the patta bearing No.8904 indicating the name of the petitioner as the land owner in respect of the petition mentioned property. It has been enclosed in the typed set of papers. Merely because the fifth respondent had committed an error while describing the property, the petitioner cannot be made to suffer for the same. The impugned memorandum is set aside. The petitioner is permitted to re-submit the document to the third respondent.

The third respondent is directed to register the same and release it subject to fulfilment of the usual formalities. This writ petition stands allowed. No costs.

28.07.2022

Index : Yes / No

Internet : Yes/ No

PMU

To:

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G.R.SWAMINATHAN,J.

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