

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.09.2022

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.18174 of 2014

Rathinam

... Petitioner

Vs.

1.The Inspector General of Registration,
No.100, Santham High Road,
Pattinapakkam,
Chennai-600 028.

2.The District Registrar,
District Registrar Office,
Backside to District Court Contonment,
Trichy-1.

3.The Sub Registrar,
Sub Registrar Office,
Musiri,
Trichy District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the third respondent to cancel the document registered in Document No. 1450/2014 on the basis of the representation, dated 21.07.2014 given by the petitioner

For Petitioner : M/s.K.Gokul
For R-1 to R-3 : M/s.K.S.Selvaganesan
Additional Government Pleader

ORDER

The present Writ Petition has been filed seeking a Writ of Mandamus, directing the third respondent to cancel a settlement deed said to have been executed by one Rasu in favour of his son, namely, Kannan.

2. According to the learned Counsel for the petitioner, the said Rasu does not have absolute title over the property, but he is having only a half share and he is only a joint pattadhar. Hence, he is not entitled to execute a settlement deed for the whole of the property in favour of his son. Therefore, according to the petitioner, the said document is an illegal document and hence, third respondent has to conduct an enquiry on the basis of his representation, dated 21.07.2014.

3. The facts narrated above will clearly indicate that the petitioner seeks to dispute the title of the said Rasu for his half share. The said issue cannot be decided by the respondents herein. Hence, there cannot

be any direction to consider the representation of the writ petitioner. However, the petitioner is always at liberty to institute a suit before a competent civil Court to establish his right over his share of the property.

4. With the above said observations, the writ petition stands disposed of. There shall be no order as to costs.

16.09.2022

Index : Yes / No
Internet : Yes / No
btr

To

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W.P(MD)No.18174 of 2014

R.VIJAYAKUMAR, J.

btr

Order made in
W.P(MD)No.18174 of 2014

16.09.2022