



W.P.(MD)No.27138 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.12.2022

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THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

W.P. (MD) No.27138 of 2022

P.Nagarajan

... Petitioner

Vs.

1.The District Registrar,
Karaikudi.

2.The Sub Registrar,
Thiruvadanai,
Ramanathapuram District.

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents to receive and register the settlement deed presented by the petitioner for the lands in survey number 192/3 and 192/4B, Bagavathy Mangala Village and Group RS Mangalam Taluk, Ramanathapuram District based on the petitioner's representation dated 15.11.2022.

For Petitioner : Mr.VR.Shanmuganathan

For R1 & R2 : Mr.S.R.A.Ramachandran

Additional Government Pleader



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ORDER

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This Writ Petition has been filed for issuance of Writ of Mandamus, directing the respondents, to receive and register the settlement deed presented by the petitioner for the lands in survey number 192/3 and 192/4B, Bagavathy Mangala Village and Group RS Mangalam Taluk, Ramanathapuram District based on the petitioner's representation, dated 15.11.2022.

2. Heard Mr.VR.Shanmuganathan, learned counsel for the petitioner and Mr.S.R.A.Ramachandran, learned Additional Government Pleader, who takes notice for respondents 1 & 2. By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

3. The grievance of the petitioner is that the representation submitted by the petitioner seeking to register the documents presented by the petitioner has not been considered.

4.The learned counsel for the petitioner submitted that the petitioner and his brother have partitioned the petition mentioned property and separate patta was also granted. Based on the same, the petitioner presented a settlement deed executed in favour of his sons to be registered before the second respondent. But the same has not been registered. The petitioner made a



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representation dated 15.11.2022 seeking to register the documents presented by the petitioner. Since no action has been taken on the same, the petitioner has filed the present writ petition with the aforesaid prayer.

5.The petitioner has also filed documents along with this writ petition, under which he claims that he is the owner of the subject property. It is for the respondents to consider the same on merits and in accordance with law. The competent authority is the second respondent, who will have to consider the petitioner's representation on merits and in accordance with law.

6. No prejudice would be caused to the second respondent, if the representation of the petitioner dated 15.11.2022 is considered on merits and in accordance with law, after hearing the petitioner and any other necessary party, whom the second respondent deems fit to enquire.

7.For the foregoing reasons, this Court directs the second respondent to consider the petitioner's representation dated 15.11.2022 seeking for registration of the documents presented by the petitioner and pass final orders on merits and in accordance with law, after hearing the petitioner and any other necessary party, whom the second respondent deems fit to enquire, within a period of twelve [12] weeks from the date of receipt of a copy of this order.



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

02.12.2022

Index : Yes/No
Internet : Yes/No
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To

1. The District Registrar,
Karaikudi.

2. The Sub Registrar,
Thiruvadanai,
Ramanathapuram District.



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V.BHAVANI SUBBAROYAN, J.

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Order made in
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02.12.2022