



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.21579 of 2023

Ponnusamy

... Petitioner

Vs.

The Sub Registrar,
Gangavalli,
Salem District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, call for records on the file of the respondent in Proceedings RFL/Gangavalli/28/2023 dated 26.06.2023 and quash the same as illegal, incompetent and without jurisdiction and further direct the respondents to register the partition deed dated 26.06.2023.

For Petitioner

: Mrs.R.Poornima

For Respondent

: Mr.E.Sundaram
Government Advocate



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ORDER

The impugned refusal check slip issued by the respondent in proceedings dated 26.06.2023 is sought to be quashed in the present writ petition.

2. The petitioner states that he has presented a partition deed along with his family members for registration. The respondent returned the document on the ground that the original documents are not submitted for verification and more so, the death certificate of M.Ponnammal, who is the grandmother of the petitioner also not been submitted.

3. The learned counsel for the petitioner made a submission with reference to the title documents that the petitioner is ready and willing to submit a certified copy for verification. One Mrs.M.Ponnammal, who is the grandmother of the petitioner had passed away as well as the grandfather and the father of the petitioner had also died and in this regard, the petitioner is ready to explain the death of the grand parents and his father through other documents.



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4. The petitioner is ready to produce the death certificate of his father and also the legal heir certificate furnished by the competent authorities. That being the factum, the respondent shall verify the said facts through the documents produced by the petitioner and proceed with the registration of the partition deed presented by the petitioner. In respect of title document the petitioner shall produce the certified copy of the same.

5. In view of the facts, and circumstances, the impugned refusal check slip issued by the respondents in Proceedings RFL/Gangavalli/28/2023 dated 26.06.2023 is quashed and on production of the certified copy of the title document and the death certificate of the father of the writ petitioner and the legal heir certificate, the respondent shall complete the registration within a period of four (4) weeks from the date of receipt of a copy of this order.

6. Accordingly, this Writ Petition stands allowed. No costs.

16.08.2023

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes



To

The Sub Registrar,
Gangavalli,
Salem District.

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S.M.SUBRAMANIAM, J.

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