



W.P.No.28209 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2023

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.28209 of 2023

Kothandan

...

Petitioner

/vs/

1.The District Registrar (Administration)
District Registrar Office, Krishnagiri.

2.The Sub Registrar,
Sub Registrar Office,
Uthangarai, Krishnagiri District.

...

Respondents

PRAYER : The writ petition has been filed under Article 226 of the Constitution of India to issue a writ of Mandamus directing the 2nd respondent to register the draft sale deed dated 15.03.2023 presented on 20.04.2023 in Temporary Registration No.TP/145679008/2023.

For Petitioner

...

Mr.C.Mariappan

For Respondents

...

Mr.Yogesh Kannadasan
Special Government Pleader



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ORDER

This writ petition has been filed to issue a Writ of Mandamus directing the 2nd respondent to register the draft sale deed dated 15.03.2023 presented on 20.04.2023 in Temporary Registration No.TP/145679008/2023.

2.The case of the writ petitioner is that during the life time of his father, the petitioner and his brothers and sister partitioned the Hindu Joint Family property by way of unregistered partition deed dated 15.06.1986. As per the partition deed, the petitioner was given the “D” schedule property mentioned in the partition deed. From then, he has been enjoying the property and also having Patta, Chitta, Adangal and “A” Register in his name in respect of Survey No.11/2A, 0.69 cents, 14/1D1. 0.08 cents, 14/1D2, 0.06 cents. In the meantime, the petitioner's father expired on 09.08.2022. Thereafter, to meet his financial crisis, he decided to sell the property to an extent of 0.69 cents in Survey No.11/2A to the third part namely Sakthi and Gokul Kannan. After that, the petitioner along with the purchasers presented the draft sale deed to the 2nd respondent on



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20.04.2023 for registration but the first respondent refused to register the same and directed him to produce the death certificate and legal heir certificate and the same was produced to the Sub Registrar. Even thereafter also, the second respondent orally refused to register the same without any reason. Hence, the petitioner sent a representation dated 15.03.2023 to the first respondent but so far no action has been taken. Hence, the present writpetition.

3.Heard the learned counsel appearing for the petitioner as well as the learned Special Government Pleader appearing for the respondents and perused the materials available on record.

4.Considering the fact and circumstances of the case, this Court is directed to the respondents to register the sale deed if the petitioner is otherwise eligible and the document is otherwise in order within a period of two weeks from the date of receipt of a copy of this order.



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5. With the above direction, the writ petition is disposed of. No costs.

Index : Yes/No

15.11.2023

Internet : Yes/No

sms

To

1. The District Registrar (Administration)
District Registrar Office, Krishnagiri.

2. The Sub Registrar,
Sub Registrar Office,
Uthangarai, Krishnagiri District.



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P.VELMURUGAN,J.

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