

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.11.2023

CORAM:

THE HONOURABLE **DR. JUSTICE D.NAGARJUN**

W.P.No.33045 of 2023
and
W.M.P.No.32728 of 2023

1. Saravanan
2. Kannaki
3. Santhru

...Petitioners

Vs

The Sub Registrar,
Pappireddipatti,
Dharmapuri District.

...Respondent

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue writ of certiorarified mandamus, call for the records of the respondent in proceedings Nos.A.Thi.Mu.No.237 dated 26.09.2023, A.Thi.Mu.No.238 dated 26.09.2023, A.Thi.Mu.No.239 dated 26.09.2023 quash the same consequently direct the respondent to accept the documents submitted by the petitioners with strength of Palanivel's unregistered will.

For petitioners : Mr.S.N.Subramani

For respondent : Mr.Yogesh Kannadasan

Special Government Pleader

ORDER

This writ petition is filed seeking a direction to the respondent to accept the documents submitted by the petitioners on the strength of Palanivel's unregistered will.

2. The learned counsel for the petitioners submitted that the first petitioner's father executed three unregistered wills in favour of the petitioners on 29.10.2019 before his death as per the details below:

<i>Sl. No.</i>	<i>Beneficiary</i>	<i>Survey No. and extent</i>
1	Third petitioner	S.No. 28/1C measuring 0.77 acre, S.No.282/2 measuring 0.49 1/2 acre, S.No.208/2 measuring 1.20 acre, totally 2.43 1/2 acre
2.	First petitioner	S.No.208/1A measuring 0.12 acre, S.No.208/2C ad measuring 0.14 acre in Poppireddipatty village, totally 0.26 acre
3	Second petitioner	S.No.11/2E, measuring 0.1 1/4 acre, S.No.11/2L measuring 0.2 1/4 acre, S.No.18/4A, measuring 0.43 1/4 cent in Poppireddipaty village, totally 0.46 3/4 acre

3. It is also submitted by the learned counsel for the petitioners that when the petitioners approached the respondent to alienate their properties, the respondent passed separate orders dated 26.09.2023 in A.Thi.Mu.No.239/2023, A.Thi.Mu.No.237/2023 and A.Thi.Mu.No.238/2023 against the third, first and the second respondents respectively, rejecting the alienation of the unregistered will.

4. The learned counsel for the petitioners also relied on the order dated 16.03.2023 in W.P.(MD)No.5760 of 2023 and order dated 03.07.2023 in W.P.No.12671 of 2023 passed by this Court.

5. Learned Special Government Pleader appearing for the respondent submitted that if a specific time frame is fixed by this Court, the petitioners' plea would be considered.

6. Heard both sides and perused the materials available on record.

DR. D.NAGARJUN,J.

vca

7. Considering the facts and circumstances of the case and the submission made by the learned Special Government Pleader, this writ petition is disposed of directing the respondent to accept the documents submitted by the petitioners as quickly as possible, at any rate, not later than four weeks from the date of uploading of this order. No costs.

23.11.2023

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Internet : Yes/No
Index : Yes/No
Citation : Yes/No

To

The Sub Registrar,
Pappireddipatti,
Dharmapuri District.

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