



WP(MD)No.17340 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

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V.R Paramasivam

... Petitioner

Vs

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

2.The District Registrar (Administration),
O/o.The District Registrar Office,
Karaikudi, Sivagangai District.

3.The Sub Registrar,
O/o the Sub Registrar Office,
Devakottai,
Sivagangai District.

4.Sevugan Chetty

5.S.Meyyappan

6.PL.Valliammai

7.L.Alamelu

8.Shanmugavalli

9.T.Sivakami



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10.S.Shanthi
11.L.Muthal
12.S.Muthaiah
13.S.Subbaiah
14.N.Bhuvaneswari
15.D.Ravi Dakshina Moorthy
16.M.Lakshmi Achi
17.V. Muthu Achi
18.S.Meenakshi Achi
19.Thirusabai
20.C.Meenal

... 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 register the petitioner's document namely family arrangement and concerned affidavit given by 4 to 20 respondents of heirs dated 12.01.2012 and 21.03.2020 and consequently ready to pay the due to registration fee including late fee, based on his representation dated 31.05.2023 and 06.06.2023.

For Petitioner : Mr.PR.Boomeerajan
For R1 to R3 : Mrs.D.Farjana Ghoushia
Special Government Pleader

ORDER

The case of the petitioner is that the petitioner's brothers and sisters, who are the respondents 4 to 20 had executed a family settlement deed on 12.01.2012 and consent affidavit given by the 19th



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respondent/the husband of the petitioner's deceased sister Kaveri on 21.03.2020. As per the above family settlement deed, female members along with their legal heirs of the said family have relinquished their rights from the ancestral properties and only male members alone have right for the ancestral properties. The petitioner has submitted his representations dated 31.05.2023 and 06.06.2023 before the second and third respondents to register his family arrangement executed on 12.01.2012 along with the consent affidavit dated 21.03.2020. However, the respondents have refused to register the documents. Therefore, he filed this writ petition for a Mandamus to direct the third respondent to register the documents.

2.As per Section 23 of the Registration Act 1908, time limit has been prescribed for presenting the documents. Section 23 of the Registration Act,1908 is extracted as under:

23.Time for presenting documents.- Subject to the provisions contained in Sections 24, 25 and 26, no



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document other than a Will shall be accepted for registration unless presented for that purpose to the proper officer within four months from the date of its execution: Provided that a copy of a decree or order may be presented within four months from the day on which the decree or order was made, or where it is appealable, within four months from the day on which it becomes final.

3.In view of the provision under Section 23 of the Registration Act,1908, this Court is not inclined to issue any positive directions to the respondents. Accordingly, this writ petition is dismissed. No costs.

19.07.2023

NCC : Yes / No.
Index : Yes / No.
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B.PUGALENDHI, J.

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