



W.P.(MD) No.22367 of 2021

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.04.2023

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.22367 of 2021

and

W.M.P.(MD) No.18927 of 2021

R.Anbumathi

.. Petitioner

Vs.

1.The District Registrar (Administration),
Additional Charge,
Pattukottai, Thanjavur District.

2.The Sub Registrar-1,
O/o. The Sub Registrar,
K.M.S.K.Chettiyar Complex,
Aranthangi Road,
Pattukottai-614 601,
Thanjavur District.

3.The Special Tahsildar,
City Tax Plan Office,
Periyakadai Street,
Pattukottai, Thanjavur District.

4.O.Saravanakumar

5.M.Selvi

.. Respondents



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Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus forbearing the third respondent from changing the name of the patta holder in respect of the lands in Survey No.216/3, Pattukottai Taluk, Thanjavur District.

For Petitioner	:	Mr.S.Louis
For RR1 to 3	:	Mr.C.Satheesh Government Advocate
For R4	:	Mr.R.Ramachandran
For R5	:	Mr.S.Alagar Samy

ORDER

This writ petition has been filed by the petitioner for a mandamus, forbearing the third respondent from changing the name of the patta holder in respect of the lands in S.No.216/3 of Pattukottai Taluk, Thanjavur District.

2. It is her contention that the undivided property in S.No.216/3, Pattukottai Town measuring an extent of 6153.7 sq.ft. stands in the name of one Late Ramasamy. Ramasamy's second son is one Rajagopalan, who is the father of the petitioner herein. Respondents 4 and 5, who are



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also the legal heirs of Late Ramasamy, have attempted to take the property to themselves without the petitioner's knowledge and without giving a share to her as well as the daughter of her deceased elder sister. Respondents 4 and 5 have obtained a legal heirship certificate without showing the petitioner or her niece viz., the daughter of the deceased elder sister. Thereafter, upon the petitioner's objection, the said legal heirship certificate was cancelled. It appears that respondents 4 and 5 had thereafter executed a partition deed dated 17.06.2021 and got it registered. The petitioner has submitted her objection to the second respondent and has also filed a petition before the first respondent to cancel the registration of the partition deed. However, the first respondent had rejected the request and passed an order absolving the Sub Registrar of any wrong doing or fraudulent act and stating that since the complaint is not relating to impersonation, there was no ground made out to cancel the registration of the partition deed. However, while passing the order, liberty has been granted to the petitioner to move the appropriate civil Court. Therefore, the petitioner has come by way of this writ petition.



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3. Today, when the matter is called, the learned Government Advocate had produced the proceedings of the Deputy Inspector General of Registration, Thanjavur, dated 16.12.2022 rejecting the appeal filed by the petitioner. Therefore, nothing survives for consideration in the instant writ petition. It is open to the petitioner to challenge the order dated 16.12.2022 of the Deputy Inspector General of Registration, Thanjavur, in the manner known to law. Consequently, this Writ Petition is dismissed. No costs. Connected miscellaneous petition is closed.

19.04.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes

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P.T.ASHA, J.

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