



W.P.(MD)No.25886 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.25886 of 2022

Palaniyappan

... Petitioner

-Vs-

1.The Deputy Inspector General of Registration,
Trichirapalli,
Trichy.

2.The District Registrar,
Registration Department,
Pudukkottai District,
Pudukkottai.

3.The Sub Registrar,
Sub Registrar Office,
Kulathur at Keeranur,
Pudukkottai District.

4.Muthusamy

5.Amutha
*(R.4 and R.5 are impleaded vide order
of this Court dated 01.02.2023)*

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents 2 and 3 herein to consider the petitioner's representation dated 03.08.2022 and permit the petitioner to register the settlement deed in pursuant to the land situated in Old Survey No.210/4C, New Survey No.210/3 of Keeranur Village along with R.C.Building.

For Petitioners : Mr.N.Anandakumar

For Respondents : Mr.N.Satheeskumar
Additional Government Pleader
for R.1 to R.3

Mr.N.Balakrishnan for R.4

Mr.P.Ganapathi Subramanian for R.5

ORDER

Heard the learned counsel on either side.

2.The property in question belonged to Shri.Natesan, the father of the petitioner. The petitioner claims that his father made an endorsement in the Will in question in his favour. This is accepted by the petitioner's siblings. One of the brother's wife has filed a partition suit.



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Therefore, the prayer sought for in this writ petition cannot be granted.

Unless the petitioner able to prove the Will, he cannot claim exclusive claim over the petition mentioned property. The petitioner's right will certainly abide by the outcome of the civil suit in O.S No.125 of 2022 on the file of the Principal District Judge, Pudukkottai.

3.This writ petition is disposed of accordingly. There shall be no order as to costs.

01.02.2023

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

To

1.The Deputy Inspector General of Registration,
Trichirapalli,
Trichy.

2.The District Registrar,
Registration Department,
Pudukkottai District,
Pudukkottai.

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MGA

3.The Sub Registrar,
Sub Registrar Office,
Kulathur at Keeranur,
Pudukkottai District.

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