



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.12.2023

CORAM

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

WP(MD)No.25127 of 2023

D.Muthuraja

... Petitioner

Vs.

1.The District Registrar,
Rajakambeeram,
Othakadai, Madurai District,
Madurai.

2.The Sub Registrar
Samanatham,
Panaiyur Vilakku (Iyanapuram),
Madurai South Taluk,
Madurai District.

3.The Tahsildar,
Madurai South, Madurai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the second respondent to register the gift settlement deed dated 25.08.2023 for the property in Old S No. 75/1 New S.No.75/28A measuring to an extent of 33 cents land out of 9 acres 5 cents situated at Viraganur Village, Madurai South Taluk, Madurai District based on the representation dated 04.10.2023.



For Petitioner : Mr.N.Thinakaran

For Respondents : Mr.S.Ra.Ramachandran,
Additional Government Pleader

ORDER

Heard both sides.

2.While the hesitation on the part of the registering authority to register the petition mentioned gift deed can be understood, I felt that the issue requires deeper consideration. The learned counsel for the petitioner submits that the petitioner is suffering from renal issue and he called upon this Court to grant relief as prayed for.

3.In my view, the petitioner can very well execute a Will in favour of his wife. If such a Will is executed and presented for registration, the same shall be received by the second respondent and registered subject to the fulfilment of the other usual formalities.



4. This writ petition is disposed with the aforesaid liberty and direction.

No costs.

21.12.2023

Index : Yes / No

Internet : Yes / No

Skm

Issue order copy on 03.01.2024

To

1. The District Registrar,
Rajakambeeram,
Othakadai, Madurai District,
Madurai.
2. The Sub Registrar
Samanatham,
Panaiyur Vilakku (Iyanapuram),
Madurai South Taluk,
Madurai District.
3. The Tahsildar,
Madurai South, Madurai.



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G.R.SWAMINATHAN, J.

SKM

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