



WEB COPY



WP.No.17458 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.17458 of 2023

P.Geethanjali

.. Petitioner

Versus

The District Registrar
District Registrar Office
Erode, Erode District

.. Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to open the sealed cover containing will dated 11.08.2017 and register the same based on the petitioner's representation dated 29.04.2024.

For Petitioner : Mr.M.Guruprasad

For Respondent : Mr.B.Vijay
Additional Government Pleader

ORDER

This writ petition has been filed seeking for a direction, directing the respondent to open the sealed cover containing will dated 11.08.2017 and register the same based on the petitioner's representation dated 29.04.2024.



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2. It is the case of the writ petitioner that his grandfather Mr.A.Ramasamy had executed a will and deposited the same before the Joint Registrar Office No.1, Erode in the presence of attestors Mr.P.N.Thangaraj and Mr.P.Selvaraj. The said Ramasamy died on 11.01.2021. After knowing the information about the will, the petitioner made a representation on 11.10.2021 to open the will, however, no action has been taken. Hence, this writ petition.,

3. Heard both sides and perused the materials placed on record.

4. By consent of both parties, this writ petition is taken up for final disposal in the admission stage itself.

5. Considering the limited relief sought for in this writ petition, let the petitioner file an application as per Section 45 of the Registration Act and on such application, the District Registrar/first respondent shall pass appropriate orders on merits and open the will in the presence of the applicant. In the event the petitioner is the beneficiary in the will, following the rules, the will could be handed over to the petitioner. Such exercise should be completed within a period of two months from the date of receipt of a copy of this Order.



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6. Accordingly, this writ petition stands disposed of. No costs.

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dhk

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No

To

The District Registrar
District Registrar Office
Erode, Erode District



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N. SATHISH KUMAR, J.

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