



W.P.No.23561 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.23561 of 2024

1.R.Suganya

2.R.Kousalya

... Petitioners

VS.

1.Deputy Inspector General
Registration Department
Velappadi,
Vellore District

2.The District Registrar
Thiruvannamalai District,
Thiruvannamalai – 606601

3.The Sub Registrar,
Thiruvannamalai Joint II,
Thiruvannamalai - 606601

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the proceedings in refusal Lr.No.141/2023 dated 21.02.2023 on the file of the 3rd Respondent herein and to quash the same and consequently direct the 3rd Respondent to register the rectified Partition Deed with respect to P211/2022, dated 28.12.2022 executing among the Petitioners.



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For Petitioners : Mr.P.Veeraraghavan

For Respondents : Mr.M.Shahjahan
Special Government Pleader

ORDER

Aggrieved by the order passed by the 3rd respondent refusing registration of the Partition Deed dated 28.12.2022 presented for registration, the petitioner has come by way of this writ petition.

2. According to the petitioners, they inherited the residential property bearing Door No.21, 3rd Street, Gandhi Nagar, Tiruvannamalai Town, comprised in Old Survey No.2291, New Survey No.3600, measuring an extent of 7540 sq.ft and agricultural property comprised in Survey Nos.475/2A, 2B, 498/2A6/2B1/2B2, 499/2 with an extent of 3.01 hectares situated in Kilpennathur Village from their mother under intestate succession after her death. They partitioned the property by entering into a Partition Deed dated 28.12.2022 and presented it for registration before the 3rd respondent.



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3. The 3rd respondent issued refusal check slip pointing out various defects in the Partition Deed presented for registration. Aggrieved by the same, the petitioners filed an appeal before the 2nd respondent and the appeal filed by the petitioners was dismissed by affirming the order passed by the 3rd respondent. Aggrieved by the same, the petitioners presented a revision before the 1st respondent and the same was also dismissed by affirming the order passed by the 3rd respondent. Hence, the petitioners are before this Court.

4. Later, the petitioner cured the defects pointed out by the 3rd respondent and submitted a representation on 24.05.2024 seeking his leave to represent the document and the same has not been considered by the 3rd respondent. It is also stated that the petitioner already represented the document for registration after curing the defects pointed out by the 3rd respondent.

5. Mr.M.Shahjahan, learned Special Government Pleader takes notice for the respondents, on instructions, would submit that if the defects pointed out by the 3rd respondent are cured and the document is represented by the



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petitioners, the same will be considered in accordance with law by the 3rd respondent. The said statement made by the learned Special Government Pleader appearing for the respondents is recorded.

6. In view of the same, the 3rd respondent is directed to consider the document represented by the petitioner on 24.05.2024 and register the same, if it is otherwise in order.

7. With the above direction, the Writ Petition stands disposed of. No costs.

19.08.2024
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Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm



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To

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S.SOUNTHAR, J.

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