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W.P.No.28492 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2024

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.28492 of 2024

S.R.Senniappan

... Petitioner

VS.

1.The Inspector General of registration,
O/o The Inspector General of Registration,
Santhome High Road,
Chennai.

2.The District Registrar,
O/o District Registrar Office,
Erode District,
Erode.

3.The Sub Registrar,
Sub Registrar office,
Perundurai,
Erode.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to register the partition deed vide online Application No: S01LANDVV2024051466249758, Temporally No TP/181473083/2024 (02.08.2024) on the file of the 3rd respondent in accordance with law.



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For Petitioner : Mr.M.Kalaiyarasan
for M/s.S.Sengkodi

For Respondents : Mr.M.Shahjahan
Special Government Pleader

ORDER

By consent of both the learned counsel appearing for the petitioner as well as respondents, this writ petition is disposed of at the admission stage itself.

2. The petitioner herein seeks a direction to the respondents to register the Partition Deed presented by him before 3rd respondent vide his Online Application No:S01LANDVV2024051466249758, Temporally No. TP/181473083/2024 (02.08.2024).

3. It is the case of the petitioner that the subject property was purchased by his father-P.Ramasamy under a registered Documents dated 21.01.1981 and 18.02.1981 registered on the file of the 3rd respondent. After the death of petitioner's father, there was a partition between the petitioner



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and his brother's sons Yuvaraj and Kathiresan. The Partition Deed dated 14.05.2024 was presented for registration before the 3rd respondent on 02.08.2024. The 3rd respondent neither registered the document nor issued any refusal check slip and kept the document as pending document for more than 1 ½ months. Hence, the petitioner has come before this Court.

4. Mr.M.Shahjahan, learned Special Government Pleader, who is taking notice for the respondents, on written instructions, would submit that the document in question has not been presented before the 3rd respondent and therefore, 3rd respondent is not in a position to consider the same for registration.

5. A reading of the affidavit filed in support of this writ petition would suggest that the document was presented before the 3rd respondent during allotted slot and the same was not received by the 3rd respondent.

6. The learned Special Government Pleader appearing for the respondents submitted that if the petitioner presents the document, it will be received and considered for registration in accordance with law.



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7. In view of the same, the petitioner is directed to take fresh token from the 3rd respondent and present the document at allotted time and date.

If any such document is presented by the petitioner, the 3rd respondent shall consider the same and pass final orders in accordance with law, within a period of two weeks from the date of receipt of presentation of the document.

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

30.09.2024

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



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To

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S.SOUNTHAR, J.

dm

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