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WP.No.37859 of 2024

In the High Court of Judicature at Madras

Dated : 18.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.37859 of 2024

A.Sundaram

...Petitioner

Vs

1.The Inspector General of
Registration, Office of the
Inspector General of
Registration, Santhome
High Road, Chennai.

2.The District Registrar,
Office of the District
Registrar, Erode District,
Erode.

3.The Joint Sub-Registrar,
Sub-Registrar Office,
Gobichettipalayam,
Erode District-638452.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned refusal check slip in RFL/1 En. Joint Sub-Registrar, Gopichettipalayam/15/2024 dated 26.11.2024 issued by the 3rd respondent, quash the same as illegal and consequently directing the 3rd respondent to accept and register the partition deed



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document dated 26.11.2024 presented by the petitioner.

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For Petitioner : Mr.S.Sengodi
For Respondents : Ms.C.Meera Arumugam, AGP

ORDER

Challenging the check slip issued by the third respondent dated 26.11.2024 refusing to register the partition deed presented by the petitioner on the ground that the Will dated 06.9.2015 was not registered and for a consequential direction to the third respondent to register the partition deed, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader accepting notice for the respondents.

3. This Court has, time and again, issued directions to the Registering Authorities to act within the confines of the powers conferred under the Indian Registration Act. In the considered view of this Court, the third respondent has totally failed to take note of the fact that a Will is not compulsorily registerable under the Indian Registration Act and the ground of refusal is without any basis.

4. Accordingly, the writ petition is allowed, the impugned refusal check slip is quashed and the third respondent is directed to register the partition deed dated 26.11.2024 presented by the petitioner within a period of two weeks from the date of receipt of its representation.



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P.T.ASHA,J

RS

To

- 1.The Inspector General of
Registration, Office of the
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High Road, Chennai.
- 2.The District Registrar,
Office of the District
Registrar, Erode District,
Erode.
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