



WEB COPY



W.P.No.38605 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.No.38605 of 2024
W.M.P.Nos.41804 & 41805 of 2024

1.Avvai

2.Valliammal

3.Leelavathi

4.Selvi

...Petitioners

Vs

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

2.The Deputy Inspector General of Registration
Cuddalore.

3.The District Registrar
Villupuram.

...Respondents

PRAYER :-Writ Petition filed under Article 226 of the Constitution of India, pleased to issue a Writ of Certiorari, by calling for the records of the 3rd respondent in its proceedings Na.Ka.No.4620/E1/2022 dated 19.12.2022 under Section 77 (A) of the Indian Registration Act and



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quash the same.

For Petitioners : Mr.V.Vijayashankar
For Respondents : Mr.P.Harish
Government Advocate

ORDER

The present Writ Petition has been filed to quash the proceedings in Na.Ka.No.4620/E1/2022 dated 19.12.2022 passed by the third respondent.

2.Petitioners had registered a partition deed on 22.12.2010 in and by which they had divided the properties that was commonly enjoyed by them. The property in survey No.48/2 was allotted to the share of the first petitioner. It appears that in the year 2022 objections were given by the fourth respondent under Section 77 (A) to invalidate the registered partition deed dated 22.12.2010. By an order 19.12.2022, the registered partition deed was cancelled by the third respondent. Since this cancellation was against the dicta of the Division Bench of this Court in the case of *M.Kathirvel Vs. Inspector General of Registration, Department of Registration and Others [reported in 2024 (4) CTC 769]*, the Writ Petition has to be allowed and the cancellation of the



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partition deed is to be set aside. Accordingly, the present Writ Petition is

allowed and the cancellation of partition deed through proceedings in

Na.Ka.No.4620/E1/2022 dated 19.12.2022 is set aside. No costs.

Consequently, connected miscellaneous petitions are closed.

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Index : Yes/No

Internet : Yes/No

Speaking Order/Non Speaking Order
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To

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

2.The Deputy Inspector General of Registration
Cuddalore.

3.The District Registrar
Villupuram.



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W.M.P.No.41801 of 2024

in

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P.T.ASHA, J.

Ordered on payment of single
court fee.

18.12.2024

(1/2)

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