



W.P.(MD)No.1065 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.1065 of 2023

Periyasamy

... Petitioner

Vs

1. The District Registrar,
Trichy District, Trichy.

2. The Sub Registrar,
O/o. Sub Registrar, Manachanallur,
Trichy District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 2nd respondent to receive and register the partition deed which was submitted by the petitioner on 04.04.2022 within time frame fixed by this Court.

For Petitioner : Mr.T.Vadivelan

For Respondents : Mr.P.Subbaraj
Special Government Pleader



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ORDER

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This Writ Petition has been filed seeking a direction to the 2nd respondent to receive and register the partition deed, which was submitted by the petitioner on 04.04.2022.

2.Heard Mr.T.Vadivelan, the learned counsel appearing for the petitioner and Mr.P.Subbaraj, learned Special Government Pleader appearing for the respondents. Perused the materials available on record.

3.It is the case of the petitioner that when the petitioner presented the partition deed, the same has not been registered by the 2nd respondent on the basis of objection petition given by the petitioner's wife, though patta for the subject property also stands in the name of the petitioner.

4.It is to be noted that the subject property is an ancestral property. Therefore, the partition of ancestral property by the legal heirs cannot be questioned by others, particularly, wife of the petitioner.



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5.In such view of the matter, this writ petition stands disposed of by directing the 2nd respondent to register the partition deed submitted by the petitioner on 04.04.2022 within a period of one week from the date of receipt of copy of this order. No costs.

30.08.2024

NCC : Yes/No
Index : Yes/No
PNM

To

1. The District Registrar,
Trichy District, Trichy.

2. The Sub Registrar,
O/o. Sub Registrar, Manachanallur,
Trichy District.



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N.SATHISH KUMAR, J.

PNM

ORDER IN

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