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W.P.(MD)NO.5904 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.5904 of 2024

Raju

... Petitioner

Vs.

1. The Inspector General of Registration,
O/o.the Inspector General of Registration,
No.120, Santhome High Road,
Chennai – 600 028.

2. The District Registrar(Administration),
O/o.the Registration Department,
Karur District, Karur.

3. The Sub Registrar,
Sub Registrar Office,
Karur, Karur District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to instruct the 3rd respondent to register the Deed executed by the petitioner in connection with property comprised in old survey No.94, T.S. No.2433 to an extent of 0.81 cents situated at Town 1st Ward, 8th Division, Karur Town, based on the petitioner's representation dated 03.01.2024.

For Petitioner : Mr.P.Krishnasamy

For Respondents : Mr.C.Satheesh,
Government Advocate.

* * *



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ORDER

Heard both sides.

2. The petitioner wants the third respondent to register the Will of one Syed Abdul Majeeth said to have been executed on 12.07.1995. Section 41 of the Tamil Nadu Registration Act, 1908 permits registration of a Will even after the death of the testator.

3. The third respondent is directed to consider the petitioner's representation and pass appropriate order on merits and in accordance with law. I make it clear that I have not gone into the merits of the matter. The third respondent has two courses of action open to him. He can either register the Will or refuse registration. If the third respondent refuses registration, he has to pass a speaking order so that the petitioner can challenge the same in the manner known to law. The entire exercise shall be completed within a period of eight weeks from the date of submission of the Will by the petitioner herein. This writ petition stands disposed of. No costs.

13.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU



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To:

1. The Inspector General of Registration,
O/o.the Inspector General of Registration,
No.120, Santhome High Road,
Chennai – 600 028.
2. The District Registrar(Administration),
O/o.the Registration Department,
Karur District, Karur.
3. The Sub Registrar,
Sub Registrar Office,
Karur, Karur District.



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G.R.SWAMINATHAN,J.

PMU

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