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W.P.(MD)NO.16758 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.07.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.16758 of 2024 AND

W.M.P.(MD)No.14512 of 2024

Mahamuni

... Petitioner

Vs.

1. The District Registrar,
O/o.of the District Registrar,
Trichy District.

2. The Sub Registrar,
Woraiyur Sub Registrar Office,
Trichy District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned refusal check slip vide No.RFL/Woraiyur/111/24 dated 19.06.2024 issued by the second respondent and quash the same as illegal and unconstitutional and consequently direct the second respondent to register the settlement deed presented by the petitioner within the time stipulated by this Court.

For Petitioner : Mr.B.Jameelarasu

For R-1 & R-2 : Mr.B.Saravanan,
Additional Government Pleader.

* * *

**ORDER**

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Heard both sides.

2. The petitioner has executed the petition-mentioned settlement deed in favour of his son. It was presented for registration. Admittedly, the property originally belonged to the petitioner's father Karuppan. The petitioner claimed to be his son. The petitioner has not produced any legal heir certificate. Therefore, registration was refused. Challenging the same, this writ petition came to be filed.

3. The learned counsel appearing for the petitioner pointed out that Karuppan married Periyakkal and through the wedlock, Ponnuchamy and the petitioner were born. A copy of the legal heir certificate of Periyakkal has been enclosed in the typed set of papers. In the legal heir certificate, Karuppan had been shown as the predeceased husband. Patta also stands in the name of the petitioner. In the joint patta, the petitioner's name is found. No doubt, these circumstances are in favour of the petitioner. As rightly pointed out by the learned Additional Government Pleader, patta could not have been mutated from Karuppan's name, without there being the legal heir certificate. Insisting on production legal heir certificate of Karuppan appears to be justified. On production



of the same, the petition-mentioned settlement deed shall be registered

and released. This writ petition stands disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

24.07.2024

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

To:

1. The District Registrar,
O/o.of the District Registrar,
Trichy District.
2. The Sub Registrar,
Woraiyur Sub Registrar Office,
Trichy District.



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4

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G.R.SWAMINATHAN,J.

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