



W.P.(MD) No.20485 of 2016

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.20485 of 2016

P.Rathiyammal

... Petitioner

/vs./

- 1.The Inspector General of Registration,
100, Santhome High Road,
Chennai 600 028.
- 2.The District Registrar,
District Registrar Office,
Dindigul 624 004.
- 3.The Sub Registrar,
Sub Registrar Office,
Aathur 624 701,
Dindigul District.
- 4.The Sub Registrar,
Sub Registrar Office,
Kannivadi 624 705,
Dindigul District.
- 5.P.Saroja



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6.C.Chinnammal @ Muthammal

7.B.Pothumani @ Thangamal

8.M.Ganesan

9.J.Maniyammal

10.M.Thangapandi

11.M.Selvam

*(R5 to R11 have been impleaded vide
order dated 08.11.2016)*

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to cancel the partition deed based on the petitioner's representation dated 29.07.2016 within a time that may be stipulated by this Court.

For Petitioner : Mr.G.M.Xavier

For R1 to R4 : Mr.D.Sadiq Raja
Additional Government Pleader

For R5 to R7 & R9 : Mr.Karpagam

For R8, R10 & R11 : No appearance



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ORDER

The prayer sought for in this writ petition is to cancel the partition deed based on the petitioner's representation dated 29.07.2016.

2. In view of the Judgment of the Hon'ble Apex Court in the case of ***Satya Pal Anand Vs. State of M.P. and others*** reported in ***2016 10 SCC 767***, only the parties can approach the civil Court for seeking their remedies in such cases.

3. In view of the same, the writ petition cannot be entertained and is accordingly dismissed. However, liberty is granted to the petitioner to approach the appropriate civil Court for seeking the relief. If the petitioner approaches the civil Court, the period of pendency of this writ petition shall stand excluded under Section 14 of the Limitation Act, 1963. However, there shall be no order as to costs.

Index : Yes / No
Internet : Yes / No
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K.KUMARESH BABU, J.

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