



WP(MD). No.27750 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 10/09/2024

CORAM

The Hon`ble Mr.Justice N.SATHISH KUMAR

WP(MD). No.27750 of 2023

Selvam

... Petitioner

Vs

1. The District Registrar,
Office of the District Registrar,
Pudukkottai District.

2. The Sub Registrar,
Kulathur Sub Registrar Office,
Keeranoor,
Pudukkottai District.

3. Arjunan,
S/o.Singu @ Alagan,
Indiranagar,
Lakshmanapatti Village,
Kulathur Taluk,
Pudukkottai District.

4. Singamuthu,,
S/o.Alagan Pandurar, Lakshmanapatti
Village and Post, Kulathur Taluk,
Pudukkottai District.

(R4 is impleaded vide order dated 19/12/2023
in WMP No.26126/2023

... Respondents



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PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 2nd respondent to register the Settlement Deed in favour of KANAGA in pursuance of Receipt No.9918/2023 dated 07.11.2023 and release the same within the time stipulated by this Court.

For Petitioner : Mr.B.Jameelarasu,
For Respondents : Mr.P.Subbaraj for R1&R2
Special Government Pleader
Mr.K.Arunraj for R4
Mr.M.Rajarajan for R3

ORDER

The writ petition has been filed for a mandamus directing the 2nd respondent to register the Settlement Deed in favour of KANAGA in pursuance of Receipt No.9918/2023 dated 07.11.2023 and release the same within the time stipulated by this Court.

2. It is the case of the petitioner that he presented a settlement deed on 07.11.2023 and the same has been kept pending merely on the basis of the objection given by the third respondent. The petitioner claims that the subject property is his ancestral property and he is in possession and enjoyment and patta also stands in his name. Hence, when he presented the settlement deed to execute the same in favour of his wife, the document is kept pending.



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3. The 4th respondent would submit that a suit has been filed in OS No.993/2023 and the same is pending and patta has been changed within one month in the name of the petitioner suppressing the earlier patta, which stood in the name of four persons and now patta has been restored. According to him, it is the ancestral property and therefore, settlement cannot be executed.

4. I have considered the rival submissions and perused the materials available on record.

5. Admittedly, suit is pending. Now the document has already been presented and kept pending. In such view of the matter, the respondents 1 and 2 are directed to register the document and return the same to the petitioner. It is made clear that mere registration will not give absolute right to the parties. The right will always subject to the result of the suit. It is also made clear that till the disposal of the suit, based on the said settlement deed, no alienation should be made by the petitioner.



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6. The writ petition is disposed of with the above direction. No costs.

10.09.2024

RR

TO

1. The District Registrar,
Office of the District Registrar,
Pudukkottai District.

2. The Sub Registrar,
Kulathur Sub Registrar Office,
Keeranoor,
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N.SATHISH KUMAR,J

RR

**ORDER
IN
WP(MD) No.27750 of 2023**

Date : 10/09/2024