



W.P.(MD)No.29512 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **09.12.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P.(MD)No.29512 of 2024

M.Muneeswaran

... Petitioner

-Vs-

The Sub Registrar,
Kunoor Sub Registrar Office,
Virudhunagar District.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondent to register and release the petitioner's partition deed in Application No.TP/201295653/2024 and TP/201354478/2024, dated 20.11.2024 with regard to the petitioner's family properties at Chokkampatti, Mangalam Village, Virudhunagar District within the time limit that may be stipulated by this Court.

For Petitioner : Mr.K.Sankar

For Respondent : Mr.S.P.Maharajan,

Special Government Pleader

ORDER

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.



W.P.(MD)No.29512 of 2024

2.The petitioner seeks a direction to the respondent to register and release his partition deed in Application No.TP/201295653/2024 and TP/201354478/2024, dated 20.11.2024 with regard to his family properties situated at Chokkampatti, Mangalam Village, Virudhunagar District within the time limit that may be stipulated by this Court.

3.According to the petitioner, his father died leaving behind the petitioner, his mother and two brothers. The family properties stand in the name of his mother. She had executed gift deeds in favour of three sons. Thereafter, she died on 05.06.2021. Therefore, in order to demarcate, the petitioner and his brothers partitioned the properties equally and presented the partition deeds for registration. However, the respondent directed the petitioner to produce encumbrance certificate in respect of the subject property. Therefore, the petitioner has filed this Writ Petition.

4.Mr.S.P.Maharajan, learned Special Government Pleader, who takes notice for the respondent, on instructions, submits that the petitioner was directed to produce encumbrance certificate in respect of the subject property for registration. However, without furnishing the same, the petitioner got back the partition deeds.



W.P.(MD)No.29512 of 2024

WEB COPY

5. In view of the said submission, the petitioner is directed to present the partition deeds for registration with encumbrance certificate as required by the respondent. On receipt of the same, the respondent is directed to verify and register the same in accordance with law.

6. With the above direction, this Writ Petition is disposed of. No costs.

09.12.2024

Index : Yes / No
NCC : Yes / No

Yuva

TO:-

The Sub Registrar,
Kunoor Sub Registrar Office,
Virudhunagar District.



WEB COPY



W.P.(MD)No.29512 of 2024

G.K.ILANTHIRAIYAN, J.

Yuva

W.P.(MD)No.29512 of 2024

09.12.2024