



W.P (MD).No.30757 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.12.2024

CORAM

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

W.P (MD).No.30757 of 2024

R.Radhakrishnan

...Petitioner

Vs.

The Sub Registrar,
O/o.The Sub Registrar,
Batalagundu,
Dindigul District.

...Respondent

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondent to release the original Will deed document vide document No.P22/2024 and hand over to the petitioner within time frame as fixed by this Court.

For Petitioner : Mr.D.S.Haroon Rasheed
For Respondent : Mr.M.Sarangan
Additional Government Pleader

ORDER

This writ petition has been filed to direct the respondent to release the original Will, which was kept pending document No.P22/2024 on the file of the respondent.



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

3. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

4. The petitioner produced the Will, dated 24.05.1996 for registration. The Will was executed by the petitioner's grand-father in favour of his father. The petitioner's grand-father died on 25.02.1997 after execution of the Will dated 24.05.1996. Thereafter, the petitioner's father also died on 07.07.2017. After the petitioner's father demise, the petitioner came to know about the Will executed by his grand-father and therefore, the petitioner presented the Will for registration.

5. The learned Additional Government Pleader appearing for the respondent, on instructions, would submit that as per Rule 69 of the Tamil Nadu Registration Rules, the registering authority has to conduct an enquiry to verify the signature of the executant with available witnesses. Therefore, the Will, which was presented for registration has been kept pending.



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6. In view of the above, the respondent is directed to complete the enquiry under Rule 69 of the Tamil Nadu Registration Rules and pass appropriate orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

7. With the above direction, the writ petition stands disposed of. No costs.

Internet : Yes
Index : Yes/No
Speaking/Non Speaking order
am

18.12.2024

To

The Sub Registrar,
Batalagundu,
Dindigul District.



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G.K.ILANTHIRAIYAN, J.

am

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