



W.P.(MD)No.31146 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.12.2024**

CORAM:

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

W.P.(MD)No.31146 of 2024

Kartheeswaran

... Petitioner

/Vs./

1. The District Registrar,
Puthukkottai District Registrar Office,
Puthukkottai Registration District,
Trichy District.

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

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records relating to the proceedings of the 2nd respondent made in RFL/Kollathur/59/2024 dated 25.11.2024 and quash the same and consequently direct the 2nd respondent to register the Partition Deed dated 25.11.2024 in TP 200375620 2024.



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For Petitioner : Mr.V.Chandrapandi
For Respondents : Mr.S.P.Maharajan
Special Government Pleader

ORDER

This writ petition has been filed challenging the impugned refusal check slip dated 25.11.2024 issued by the second respondent thereby refused to register the partition deed, which was presented for registration by the petitioner and his family members on the ground that one of the legal heirs is not a party to the partition deed.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself. Heard the learned counsel on either side and perused the materials placed before this Court.

3. The property comprised in S.No.312/3, 312/6, Plot Nos.5,6,7,8 of the year 1984 situated at Mathur village, Kolathur Sub Registrar Office, Trichy District was owned by the petitioner's father, namely, Jeyappan. After his demise, his legal heirs derived title over the subject property. Except one Ramakannan, other legal heirs of the said Jeyappan



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had partitioned the subject property and executed a partition deed on 25.11.2024 and it was presented for registration. However, it was refused to register on the ground that one of the legal heirs is not a party to the partition deed.

4. Admittedly, one of the legal heirs namely Ramakannan is not a party to the partition deed and he was not allotted any share in respect of the subject property.

5. At this juncture, the learned counsel appearing for the petitioner submitted that insofar as the petitioner is concerned, he was allotted A schedule property and as per the partition deed, a share was allotted to the said legal heir namely, Ramakannan.

6. However, the said Ramakannan is not a party to the partition deed as to whether he is agreeing for the said share or not. In view of the same, the second respondent has rightly refused to register the partition deed. There is no infirmity or illegality in the refusal check slip dated 25.11.2024. This writ petition is dismissed accordingly. However, the



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petitioner is at liberty to include all the legal heirs of the Jeyappan in partition of the subject property. No costs.

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Index : Yes / No
NCC : Yes / No
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G.K.ILANTHIRAIYAN, J.

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