



WEB COPY

WP No. 47284 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-12-2025

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THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

**WP No. 47284 of 2025
and WMP.No.52804 of 2025**

B.Gokulakrishanan, S/o. Late. Balakrishnan,
D.No. L.I.G., New A.S.T.C. ADCO, Avvai Nagar,
Hosur Taluk, Krishnagiri District.

..Petitioner

Vs

1.The District Registrar, Dharmapuri District,
Dharmapuri.

2.The Sub-Registrar, Sub-Registrar Office,
Kaariyamangalam, Dharmapuri District.

..Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records of the impugned notice Na.Ka.No.673/2025, dated 14.10.2025 by the 2nd Respondent and quash the same as illegal and consequently direct the 2nd



Respondent to remove the entry made in Encumbrance Certificate.

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For Petitioner:

Ms. A. Nethra for Mr.K.Gandhi Kumar

For Respondents:

Mr.U.Baranidharan, SGP

ORDER

According to the petitioner, the petitioner's father had purchased a property ad measuring 65 ares in S.No.431/1 in the name of the petitioner's mother. Thereafter, a partition deed was executed by and between all the legal heirs of the petitioner's deceased father. The partition deed was registered as document no.673/2025. Upon receiving notice dated 14.10.2025 to the effect that deficit stamp duty and registration fee has to be paid in relation to the above mentioned instrument, the present writ petition has been filed.

2. Mr.U.Baranidharan, learned Special Government Pleader, accepts notice for both the respondents. On the basis of written instructions, he submits that the impugned notice was issued on the basis that the property stands in the



name of Tmt. Akhilandam. Therefore, stamp duty and registration fees are leviable by treating it as part conveyance and part partition. In any event, he submits that the petitioner may reply to the notice and that an enquiry would be conducted before action is taken under the relevant provisions of the Registration Act, 1908.

3. The challenge in this writ petition is to a notice. The petitioner is entitled to reply thereto and raise all contentions to establish that the property was purchased by the petitioner's father and not by the petitioner's mother. After considering the petitioner's reply and providing a reasonable opportunity to the petitioner and the other legal heirs of the late Balakrishnan, a speaking order shall be issued within three months from the date of receipt of the petitioner's reply. Such reply shall be submitted within two weeks from the date of receipt of a copy of this order.

4. The writ petition is disposed of on the above terms. There will be no order as to costs. Consequently, connected miscellaneous petition is closed.



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Index : Yes/No

Internet: Yes/No

Neutral Citation : Yes/No

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To

1.The District Registrar, Dharmapuri District, Dharmapuri.

2.The Sub-Registrar, Sub-Registrar Office, Kaariyamangalam,
Dharmapuri District.



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SENTHILKUMAR RAMAMOORTHY, J.

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