



W.P.No.46602 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2026

CORAM

THE HONOURABLE MR.JUSTICE **SENTHILKUMAR RAMAMOORTHY**

W.P.No.46602 of 2025

N.Raghavendran

.. Petitioner

VS

1.The Inspector General of Registration,
Department of Registration,
100, Santhome High Road,
Chennai – 600 028.

2.The Sub Registrar,
O/o.The Sub Registrar of Hosur,
Hosur, Krishnagiri District.

.. Respondents

Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of mandamus to direct the second respondent to accept and register the fresh gift deed executed by the petitioner in respect of lands situated in S.F.Nos.184, 185, 186/A and 186/C measuring 81,715 sq.ft. (roads) and 56,541 sq.ft. (park and shops) situated at "Sri Venkateshawara Nagar", Hosur Town & Taluk, Krishnagiri District in compliance with the order of this Court in W.P.No.22280 of 2011 dated 19.01.2018 and to take on record the said gift deed and update all relevant municipal and registration records accordingly.



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For Petitioner : Mr.P.Saravanan
For Respondents : Mr.U.Baranidharan,
Special Government Pleader

ORDER

The petitioner's father purchased the lands in Survey Nos.184, 185, 186A and 186C in Hosur Village under Document No.3631 of 1991. After selling the property to the petitioner's father, the petitioner states that the vendor, Ramaiah, endeavoured to sell the property to one Chellamuthu. Chellamuthu, Muthusamy and Rajendan formed a lay out and executed a gift deed in favour of the Hosur Municipality. Pursuant to order in first appeals and second appeals, the conveyances in favour of Chellamuthu, Muthusamy and Rajendran were held to be illegal, null and void. In those circumstances, the Commissioner of Hosur Municipality filed a writ petition in W.P.No.22280 of 2011 before the Division Bench of this Court. The said writ petition was disposed of by directing the sixth respondent therein, M.Narayanaswamy, to execute a fresh gift deed in favour of the municipality. Mr.M.Narayanaswamy passed away before the gift deed could be executed and registered. One of the legal heirs of the said Narayanaswamy has presented the writ petition.



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2. Learned counsel for the petitioner has submitted the death certificate of M.Narayanaswamy. He points out that the three legal heirs are the petitioner, his mother Shanthi and his sister Ranjani. He has also placed on record the affidavits executed by the said individuals. On this basis, he seeks a direction to the Sub Registrar, Hosur to receive and register the gift deed.

3. Learned Special Government Pleader submits that all three owners should execute and present the gift deed for registration. In that event, he submits that the Sub Registrar would take necessary measures for registration.

4. All the class 1 legal heirs of the deceased Narayanaswamy have inherited the property upon his demise. Therefore, it is necessary that all three owners execute the gift deed. In the alternative, it would be open to the other owners to execute a registered power of attorney in favour of the petitioner herein. If the gift deed is re-presented for registration in compliance with the above observations, the second respondent is directed to receive and take necessary measures for registration subject to remittance of registration fees and payment of requisite stamp duty. Such action shall be taken within two weeks from the date of re-presentation of the fresh gift deed.



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5. The writ petition is disposed of on the above terms. There shall be no order as to costs.

06.01.2026

Index:Yes/No
Neutral Citation:Yes/No
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To

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