

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.6735 of 2016

S.Karunanithi

... Petitioner

Vs.

1.The Joint Sub Registrar No.1,
Villupuram.

2.The Joint Sub Registrar No.2,
Villupuram.

3.Lakshmidevi

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 23.1.2016 not to entertain any document for registration in respect of the property covered in document Nos.775/2008 dated 20.02.2008 registered in the office Joint S.R.O.No.2, Villupuram and in respect of the properties covered in document Nos.671 and 672/2006 dated 12.04.2006 registered in the office of Joint S.R.O.No.1, Villupuram.

For Petitioner : Mr.N.Suresh

For Respondents : Mrs.P.Rajalakshmi for R1 and R2
Government Advocate

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The present writ petition has been filed seeking a Mandamus directing the respondents to consider the representation of the petitioner dated 23.01.2016 not to entertain any document for registration in respect of the property covered in document Nos.775/2008 dated 20.02.2008 registered in the office Joint S.R.O.No.2, Villupuram and in respect of the properties covered in document Nos.671 and

672/2006 dated 12.04.2006 registered in the office of Joint S.R.O.No.1, Villupuram.

3.In the petition it is stated that the petitioner married one Lakshmidevi/ third respondent and due to the wedlock a male child was born to them. The child was named K.Jayabalaji. Subsequently, there are several dispute between the petitioner and the third respondent/ wife. The third respondent is a house wife and she is not having any earning capacity. The petitioner purchased properties in the name of the minor K.Jayabalaji, showing the third respondent as guardian and the petitioner is in possession and enjoyment of those properties.

4.It is further stated that the petitioner has purchased 1800 sq.ft of land in A.T.M.Nagar, Plot No.4 covered in Survey Nos.138, 139 and 140 situated at Villupuram vide document no.671 of 2006 dated 12.04.2006, another plot in the same layout vide document no.672/2006 on 12.04.2006, and another property in Poonthottam village in plot no.18 in Rowther complex lay out admeasuring an extent of 1500 sq.ft at Villupuram in the name of the minor K.Jayabalaji, showing the third respondent as guardian.

5.It is further stated that now the third respondent is proclaiming openly that she would sell away the property purchased in the name of minor to third parties inorder to take revenge on the petitioner. Hence, the petitioner made representation to the respondents 1 and 2 stating that since the property was purchased in the name of the minor son, the third respondent cannot sell the property without the permission from the Court. But the said representation was not considered. Hence, this petition.

6.Heard the submissions of the learned counsel appearing for the petitioner and the learned Government Advocate.

7.Considering the submissions made on either side, this Court directs the respondents to consider the representation of the petitioner dated 23.01.2016 and pass appropriate orders after affording opportunity of personal hearing to the petitioner as well as the third respondent within a period of six weeks from the date of receipt of a copy of this order.

8.The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1.The Joint Sub Registrar No.1,
Villupuram.

2.The Joint Sub Registrar No.2,
Villupuram.

+1 cc to M/s.N.Suresh, Advocate, sr4.11526
+1 cc to Government Pleader, sr.11779

W.P.No.6735 of 2016

mp co
kra 29.02.2016



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