



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.11.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition(MD)No.197 of 2014

M.Sathyabama

... Petitioner

Vs.

1.The Director General of Registration,
No.100, Santhome High Road,
Chennai - 600 028.

2.The District Registrar,
Marthandam Registration District,
Kuzhithurai Post,
Kanyakumari District.

3.The Sub-Registrar,
Arumanai Sub-Registration Office,
Arumanai Post,
Kanyakumari District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's objection letter, dated 28.11.2013 regarding to register any deeds in respect of the properties in Survey No.2302 re-survey Nos.201/2, 201/1 total extent of 2.50 acres in Arumanai Village, Vilavancode Taluk, Kanyakumari District.

For Petitioner

: Mr.C.Arun @ Arunachalam

For Respondents

: Mr.V.Muruganandham
Additional Government Pleader

ORDER

This Writ Petition is filed seeking for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's objection letter, dated 28.11.2013.

2.According to the petitioner, she has made an objection petition before the third respondent on 28.11.2013, regarding the registration of documents relating to Survey No.2302 in re-survey Nos.201/2, 201/1, to an extent of 2.50 acres in Arumanai Village, Vilavancode Taluk, Kanyakumari District.



3.The learned counsel for the petitioner submitted that the petitioner is the owner of the property by virtue of the order passed by the Civil Court, one Narayanan Nair is no way connected to the land in dispute is taking steps to execute sale deed in respect of the said land encumbering the property. Hence, she has filed the objection petition before the third respondent.

4.The respondents filed a counter-affidavit stating that the above said Narayanan Nair already executed a settlement deed in favour of his son Rajan Babu and also executed a sale deed in favour of one Sivakumar. The documents were also registered on 06.01.2014 as Document Nos.37 of 2014 and 38 of 2014.

5.A Perusal of the records, it is seen that the Writ Petition has been filed only on 02.01.2014 and this Court ordered notice on 06.01.2014. The registration was over on the date, on which notice was ordered viz., 06.01.2014.

6.In the above circumstances, since the registration was already completed, the relief sought for in the Writ Petition cannot be granted at this stage. If the petitioner is aggrieved over the registration of documents, it is open to her to approach the competent civil forum to redress her grievance.

7.With the above observation, this Writ Petition is closed.
No costs.

Sd/-

Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

To

1.The Director General of Registration,
No.100, Santhome High Road,
Chennai - 600 028.

2.The District Registrar,
Marthandam Registration District,
Kuzhithurai Post,
Kanyakumari District.

3.The Sub-Registrar,
Arumanai Sub-Registration Office,
Arumanai Post,
Kanyakumari District.

+1cc to special Government Pleader SR.No.67440

ps

sm:ss3:5.12.2016:2P/5C