



WEB COPY

W.P.(MD)Nos.11177 to 11179 of 2012
Sudalaimuthu v. The District Registrar

BEFORE THE MADURAI BENCH OF MADRAS HIGH Court

DATED: 22.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD)Nos.11177 to 11179 of 2012

and M.P.Nos.1 to 1 of 2012

(Through Video Conferencing)

Sudalaimuthu ... Petitioner in
W.P.No.11177/2012

S.Gopi ... Petitioner in
W.P.No.11178/2012

T.Paulvannan ... Petitioner in
W.P.No.11179/2012

Vs.

1.The District Registrar (Registration)
Palayamkottai
Tirunelveli.

2.The Sub Registrar,
Burkitmanager
Combined Registration Department Complex,
Shankar Colony
(Near Jain Johns Higher Secondary School)
Palayamkottai
Tirunelveli.

3.The Assistant Commissioner,
Land Reforms,
Trivandrum Road,
Palayamkottai
Tirunelveli

4.M.D.K.Thirumalayappan ... Respondents (in all WP's)

PRAYER in W.P(MD) No.11177/2012 : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to forbear the respondents 1 and 2 their men, agents, servants or any one claiming under them not to entertain or register sale deed or any other document in respect of the lands comprised in S.No.347 measuring an extent of 3.24 acres situate in Ariyakulam village in Palayamkottai Taluk in Tirunelveli District pending disposal or finalisation of land ceiling proceedings initiated by the 3rd respondent under Act 58/1961 as amended by Act 17/1970 in respect of the 4th respondent and other sharers.



PRAYER in W.P(MD) No.11178/2012 : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to forbear the respondents 1 and 2 their men, agents, servants or any one claiming under them not to entertain or register sale deed or any other document in respect of the lands comprised in S.No.352/3 measuring an extent of 3.62 acres situate in Ariyakulam village in Palayamkottai Taluk in Tirunelveli District pending disposal or finalisation of land ceiling proceedings initiated by the 3rd respondent under Act 58/1961 as amended by Act 17/1970 in respect of the 4th respondent and other sharers.

PRAYER in W.P(MD) No.11179/2012 : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to forbear the respondents 1 and 2 their men, agents, servants or any one claiming under them not to entertain or register sale deed or any other document in respect of the lands comprised in S.No.318 measuring an extent of 1.72 acres situate in Ariyakulam village in Palayamkottai Taluk in Tirunelveli District pending disposal or finalisation of land ceiling proceedings initiated by the 3rd respondent under Act 58/1961 as amended by Act 17/1970 in respect of the 4th respondent and other sharers.

(in all WP's)

For Petitioners :Mr.V.K.Vijayaragavan
For Respondents :Mr.K.Sathiya Singh for R1 to R3
Additional Government Pleader

COMMON ORDER

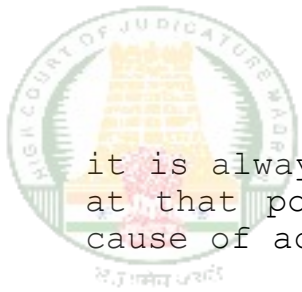
The issue involved in all these writ petitions are common and hence, they are taken up together, heard and disposed of by this common order.

2. All these writ petitions have been filed for the issue of a writ of mandamus forbearing the second respondent from entertaining any documents submitted by the fourth respondent.

3. The case of the petitioners is that the fourth respondent has already sold the property in favour of the petitioners by virtue of a registered document.

4. The learned counsel for the petitioners submitted that the fourth respondent is no more and he died during the pendency of the writ petitions.

5. In view of this subsequent development, the apprehension raised by the petitioners no longer survives. The allegations were specifically pointed at the fourth respondent and he is dead and gone. If any attempt is made at a future point of time by any of the legal heirs of the fourth respondent to deal with the property,



it is always left open to the petitioners to file a protest petition at that point of time before the second respondent. There is no cause of action for the same at present.

6. Except giving this clarity, no further orders are passed in these writ petitions. All these writ petitions are disposed of accordingly. No costs. Consequently connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RR

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The District Registrar (Registration)
Palayamkottai, Tirunelveli.

2.The Sub Registrar,
Burkitmanager
Combined Registration Department Complex,
Shankar Colony, (Near Jain Johns Higher Secondary School)
Palayamkottai, Tirunelveli.

3.The Assistant Commissioner,
Land Reforms, Trivandrum Road,
Palayamkottai, Tirunelveli

+1 CC to M/s.V.K.VIJAYARAGAVAN, Advocate (SR-17247[F] dated 23/04/2021)

+1 CC to M/s.SPL GP (SR-17333[F] dated 23/04/2021)

W.P. (MD)Nos.11177 to 11179 of 2012
22.04.2021

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