



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :23.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE **N.ANAND VENKATESH**

W.P. (MD)No.13985 of 2012

and

M.P. (MD) .No.1 of 2012

C.Seeniammal @ Perumalthai

: Petitioner

Vs.

1. The Sub-Registrar,

Office of Sub-Registrar, Andipatti, Theni District.

2. O.Jeyapandi

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, forbearing the first respondent from registering any kind of sale deed in respect of Survey Numbers 222/3, situated at Pulimankombai Village and Survey Number 461/1, situated at Nadukkottai Village, Andipatti Taluk, Theni District, except under due procedures.

For Petitioner

: Mr.S.Balamurugan

For R-1

: Mr.K.Sathiya Singh

Additional Government Pleader

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus forbearing the first respondent from registering any document with respect to the subject property.

2. The case of the petitioner is that the properties were originally owned by her husband and was subsequently settled in favour of the petitioner. The petitioner executed two sale deeds dated 08.09.2003 and 06.01.2005 in favour of the father of the second respondent. According to the petitioner, the sale consideration was not paid and she was cheated and the same resulted in criminal proceedings.

3. The further case of the petitioner is that the second respondent proceeded to execute the sale deed with respect to the subject properties and immediately, an objection was given by the petitioner to the first respondent and the same was entertained and the document was kept as the pending document No.167. The grievance of the petitioner is that thereafter there has not been any progress in the enquiry and left with no other option, the present Writ Petition has been filed before this Court seeking for appropriate directions.



4. Heard Mr.S.Balamurugan, learned counsel appearing on behalf of the petitioner and Mr.K.Sathiyasingh, learned Additional Government Pleader appearing on behalf of the first respondent.

5. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, if the first respondent has not already registered the document, the objection made by the petitioner shall be taken into consideration before taking a decision to register the document presented by the second respondent

6. This Writ Petition stands disposed of with the above directions. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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

The Sub-Registrar,
Office of Sub-Registrar,
Andipatti, Theni District.

+1 CC to M/s.SPL GP (SR-17529[F] dated 26/04/2021)

W.P. (MD)No.13985 of 2012
23.04.2021

SSS(CO)
KB(12.05.2021) 2P 3C