



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **15.04.2021**

CORAM

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

W.P. (MD)No.7806 of 2021

and W.M.P. (MD)No.5944 of 2021

WEB COPY

Shofia

.. Petitioner

Vs.

1.The Inspector General of Registration,
Department of Registration,
Santhome High Road,
Mullima Nagar, Manda Velipakkam,
Rajaannamalaipuram,
Chennai 28.

2.The District Registrar,
Department of Registration,
Trichy District.

3.The Sub-Registrar,
Department of Registration,
Lalkudi Sub-Registrar Office,
Trichy District.

4.Joseph

5.T.Balamurugan

.. Respondents

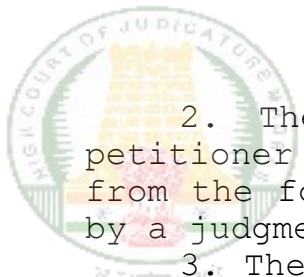
PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the third respondent not to register the document in Survey No.152/4A, New Survey No.152/4B at Ariyur Village, Lalkudi Taluk, Trichy District and consider the petitioner's representation dated 15.02.2021.

For Petitioner : Mr.P.Muthusamy

For Respondents : Mr.K.Sathyasingh,
Addl.Govt.Pleader for R1 to R3

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the third respondent not to register any document that is presented for registration with respect to the subject property.



2. The case of the petitioner is that the mother of the petitioner filed a suit in O.S.No.744 of 1991 for recovery of money from the fourth respondent. This suit is said to have been decreed by a judgment and decree dated 29.01.1992.

3. The property belonging to the fourth respondent was attached and it was brought for sale and a sale deed was also executed in favour of the mother of the petitioner by the Court on 19.08.1993. Thereafter, the revenue records also were transferred in the name of the mother of the petitioner.

4. The further case of the petitioner is that her mother died on 27.03.2017, leaving behind the petitioner, her sister, her brother and her father.

5. The grievance of the petitioner is that the fourth respondent is making attempts to deal with the property without any right and he went to the extent of executing a sale deed and presented the same for registration before the third respondent on 27.01.2021 and the same was also registered. The purchaser is said to have illegally entered into the property and threatened the petitioner and her family members based on the sale deed. The petitioner therefore, gave a protest petition before the third respondent on 13.01.2021, followed by a representation dated 15.02.2021, and requested the third respondent not to register any document pertaining to the subject property. The grievance of the petitioner is that this protest petition was not considered by the third respondent and left with no other alternative, the present Writ Petition has been filed before this Court.

6. Heard Mr.P.Muthusamy, learned counsel appearing on behalf of the petitioner and Mr.K.Sathyasingh, learned Additional Government Pleader appearing on behalf of the respondents 1 to 3.

7. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the third respondent to consider the protest petition filed by the petitioner as and when any document is presented for registration by respondents 4 and 5 or any one representing or claiming under them. Without considering the protest petition made by the petitioner, no document shall be registered by the third respondent with respect to the subject property.

8. The petitioner is directed to make a fresh representation to the third respondent along with a copy of this order.

9. This Writ Petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

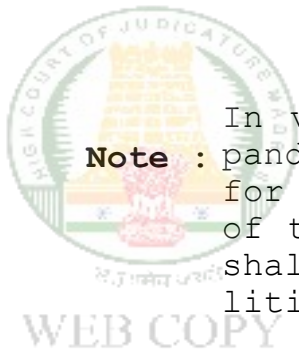
Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



In view of the present lock down owing to COVID-19
Note : 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 Inspector General of Registration,
Department of Registration,
Santhome High Road,
Mullima Nagar, Manda Velipakkam,
Rajaannamalaipuram,
Chennai 28.
- 2.The District Registrar,
Department of Registration,
Trichy District.
- 3.The Sub-Registrar,
Department of Registration,
Lalkudi Sub-Registrar Office,
Trichy District.

+1 CC to M/s.AGP (SR-15987[F] dated 16/04/2021)

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and W.M.P. (MD)No.5944 of 2021
15.04.2021

RK (23.04.2021) 3P 5C