



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.08.2021

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THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P (MD) No.13951 of 2021

S.Pichaiarockiyamary

... Petitioner

Vs.

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

2.The District Registrar,
O/o. The District Registrar,
Registration Department,
Rajagopalapuram - 622 001,
Pudukkottai & District.

3.The Sub Registrar,
O/o. The Sub Registrar,
Illuppur,
Illuppur Taluk,
Pudukkottai District.

4.Arokyasamy,

5.Yesumanikkam

6.Anthony Das @ Arun,

7.Sagaiyaraj W Sathiyaraj

8.C.Pragadeeswaran

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 3 to consider the representations of the petitioner, dated 09.07.2021 and 12.07.2021 as protest petition and proceed the same in accordance with law.



For Petitioner : Mr.K.Neelamegam

For Respondents : Mr.R.Baskaran for R1 to R3
Counsel for State.

ORDER

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The petitioner seeks consideration of a protest petition with regard to alleged attempts by respondents 4 to 8 herein to usurp her property.

2. The petitioner claims that her mother was the pattadhar in respect of a property bearing No.130/2 at Iluppur Village in Pudukottai District. The petitioner alleges that respondents 4 to 8 are conspiring to usurp such property. In these circumstances, the petitioner submitted a protest petition on 09.07.2021 to respondents 1 to 3 to prevent the registration of deeds of conveyance in respect of the above mentioned property by such persons.

3. Mr.R.Baskaran, learned counsel for the State, accepts notice on behalf of respondents 1 to 3.

4. Upon perusal of the documents filed along with the Writ Petition, it appears that Patta No.7 was issued in the name of Anthonyammal, who is said to be the mother of the petitioner. Likewise, an Encumbrance Certificate for the period 01.06.1977 to 01.01.1983 has been enclosed, which reflects a sale deed bearing Document No.1214 of 1977, by which the petitioner's mother purchased the property.

5. However, neither the said sale deed nor an updated Encumbrance Certificate are enclosed. Upon perusal of the relevant protest petition, once again, the relevant documents have not been enclosed therewith.

6. Accordingly, without going into the merits of the matter, the petitioner herein is permitted to carry a fresh representation to the third respondent by enclosing the sale deed bearing Document No.1214 of 1977, the patta and other material documents. Such representation shall be submitted within a period of three (3) weeks from the date of receipt of a copy of this order. Upon receipt thereof, the third respondent is directed to consider such protest petition and pass a reasoned order thereon after providing a reasonable opportunity to the petitioner, respondents 4 to 8 herein and any other persons who would be affected by such decision. On account of the fact that the merits of the matter have not been gone into and because the third respondent is directed to hear the private respondents before taking a decision, the Writ Petition is disposed of without notice to the private respondents 4 to 8.



7. W.P.(MD).No.13951 of 2021 is disposed of on these terms without any order as to costs

Sd/-

Assistant Registrar (CS-II)

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// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg

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 Inspector General of Registration,
No.100, Santhome High Road,
Chennai - 600 028.

2.The District Registrar,
O/o. The District Registrar,
Registration Department,
Rajagopalapuram - 622 001,
Pudukkottai & District.

3.The Sub Registrar,
O/o. The Sub Registrar,
Illuppur,
Illuppur Taluk,
Pudukkottai District.

+1 CC to M/s.GP (SR-26077[F] dated 12/08/2021)

+1 CC to M/s.K.NEELAMEGAM, Advocate (SR-26318[F] dated 13/08/2021)

**W.P (MD) No.13951 of 2021
11.08.2021**

RK (19.08.2021) 3P 6C