



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

WEB COPY

W.P. No. 1801 of 2022

Dhanalakshmi

... Petitioner

Vs.

The Sub Registrar
Tirukoilur.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondent to receive and register the sale deed dated 16.11.2021 executed by the Petitioner in favour of Kuppusamy, S/o. Veeraragavan in respect of property in Dry S.No.151/2 out of 50 cents - 1625 square feet Aalur Village, Tirukoilur Taluk, Kallakurichi District and also to release the same forthwith to the Petitioner.

For Petitioner : Mr. N.Suresh

For Respondent : Mr. Yogesh Kannadasan
Special Government Pleader

O R D E R

By consent of both parties, the writ petition is taken up for final disposal at the time of admission stage itself.

2. Heard Mr. N.Suresh, Learned Counsel for the Petitioner and Mr. Yogesh Kannadasan, Learned Special Government Pleader, who takes notice on behalf of the Respondent, and perused the materials placed on record, apart from the pleadings of the parties.

3. According to the Petitioner, she is the absolute owner of the property comprised in Survey No.151/2 having an extent of 1625 square feet at Aalur Village, Tirukoilur Taluk, Kallakurichi District, which is registered as Document No.3487 of 2015 dated 16.08.2015 at Sub Registrar Office, Tirukoilur and purchased from the rightful owner one Thiru V.Venkatraman, S/o.K.V.Raman, who had purchased the property from one Thiru V.Natarajan by way of a Sale Deed dated 20.02.2014 registered as Document No. 684 of 2014 on the file of the office of the Sub Registrar, Tirukoilur.

4. Originally the vendor's vendor viz., Thiru V.Natarajan, filed a suit in O.S. No.24 of 1988 on the file of



District Munsif Court, Tirukoilur for a declaration. After contest, the same was dismissed on 22.12.1995. Aggrieved over that, an appeal in A.S. No. 57 of 1996 has filed on the file of the Additional District Judge, Villupuram filed by the said Natarajan, which came to be allowed on 31.12.1997 and thereby, the suit was decreed in his favour. However, a Second Appeal came to be filed in S.A. No. 379 of 1999 before this Court, which was dismissed on 17.06.2011. Thereafter, SLP (CC) 6715 of 2012 filed before the Hon'ble Supreme Court was also dismissed on 19.10.2012. Hence, the decree has become final and accordingly, the vendor of the Petitioner's vendor has become absolute owner of the property. In the above backdrop, the present petition is filed for the releif supra.

5. Learned Special Government Pleader appearing for the Respondent has also filed a letter dated 05.02.2022 in Na.Ka. No. 66 of 2022, which is placed on record, wherein it is stated that there is a civil dispute in respect of the property in question and hence, documents presented in respect of the aforesaid property have been returned as there is a Civil Suit in O.S. No. 44 of 2015 pending on the file of the Principal City Civil Court, Tirukoilur appoint the vendor of the petitioner's vendor. Further he fairly submitted that the Respondents would consider the representation of the petitioner and pass orders, on merits, within a reasonable time to be fixed by this Court.

6. Considering the facts and circumstances of the case and also the submissions made by the Learned Counsel on either side, this Court does not propose to go into the merits of the contention pur forth on either side. Without going into the merits of the matter, the Respondent is directed to consider the representation of the Petitioner and pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above observations and directions, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

Rli

To

The Sub Registrar
Tirukoilur.

+1 cc to Government Pleader Sr.NO. 8347

W.P. No. 1801 of 2022

SSN(CO)

<https://hcservices.ecourts.gov.in/hcservices/>
A.SK(08/03/2022)