



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2022

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) .No.1377 of 2022

and

WMP. (MD) .No.1219 of 2022

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Muthulakshmi Priya

... Petitioner

Vs.

1.The Inspector General of Registration,
Inspector General of Registration Office,
Santhome High Road,
Chennai.

2.The District Registrar,
Registration Department,
Thirumalainaickar Mahal,
Madurai.

3.The Sub Registrar,
Office of Sub Registrar,
Thirupparankunram,
Madurai District.

4.Augustin @ Raja

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, by directing the third respondent not to register any sale deed, mortgage deed and any document pertaining to the Survey No.150/1, Door No.131 situated at Harveypatti, Thirupparankundram Village Range and Taluk, Madurai District on the basis of the petitioners representation dated 11.12.2021.

For Petitioner : Mr.S.Muniyandi

For R-1 to R-3 : Mr.D.Ghandiraj,
Special Government Pleader.

ORDER

This Writ Petition has been filed in the nature of Mandamus seeking a direction against the third respondent/ the Sub Registrar, Thirupparankunram, Madurai District not to receive any documents, if it is presented for creating any charge over the property in Survey No.150/1, Door No.131 at Harveypatti, Thirupparankundram Village Range and Taluk, Madurai District. The petitioner had given a



representation on 11.12.2021.

2. Heard Mr.S.Muniyandi, learned counsel for the petitioner and Mr.D.Ghandiraj, learned Special Government Pleader who had taken notice for respondents 1 to 3.

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3. In view of the nature of the order passed, notice is not directed to the fourth respondent. My attention is drawn to a communication issued by the third respondent/ the Sub Registrar, Thirupparankunram wherein he has stated that the petitioner has no right or cannot question if any document is presented for registration.

4. I would direct the third respondent/ the Sub Registrar, Thirupparankunram, that, if any documents of any nature is presented for registration pertaining to Survey No.150/1, Door No.131 at Harveypatti, Thirupparankundram Village Range and Taluk, Madurai District by any individual and more particularly, by the fourth respondent herein, Augustin @ Raja, then an obligation is placed on the third respondent to issue notice to the petitioner, hear the protest of the petitioner and then pass an order. The third respondent cannot straight away reject the claim of the petitioner or refuse to issue notice if at all the document is presented for registration.

5. A direction is therefore issued that the third respondent must inform the petitioner, issue notice to the petitioner and take a decision regarding registration or otherwise any document pertaining to the aforementioned property.

6. With the above observations, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Nsr

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,
Inspector General of Registration Office,
Santhome High Road,
Chennai.

2.The District Registrar,
Registration Department,
Thirumalainaickar Mahal,
Madurai.

3.The Sub Registrar,
Office of Sub Registrar,
Thirupparankunram, Madurai District.

+1 CC to M/s.SPL.GP (SR-2807[F] dated 28/01/2022)

W.P. (MD) .No.1377 of 2022
27.01.2022

RD(08.02.2022) 3P 5C