



W.P.(MD).No.19376 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.19376 of 2015

in

M.P(MD) No.1 of 2015

Esakkiammal

... Petitioner

-VS-

1.The District Registrar,
Department of Registration,
Tirunelveli Registration District,
Tirunelveli.

2.The Sub-Registrar,
Department of Registration,
Radhapuram,
Tirunelveli District.

3.The Tahsildar,
Radhapuram Taluk,
Radhapuram,
Tirunelveli District.

4.Subbammal

.... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the Respondents 1 and 3 more particularly the 2nd Respondent not to register any encumbrance or any deed of conveyance in any form either settlement or gift or sale deed in respect of the property bearing Survey Nos.422, 425(1), 425(3), 425(5) measuring 11.32 Acres, 1.74 Acres, 22.29 Acres, 0.93 Acres respectively situated at Kasthuri Rengapuram Village, Radhapuram Taluk, Tirunelveli District measuring to the extent of 35.97 Acres in toto on the basis of the request of the 4th respondent by means of any deed forthwith.

For Petitioner	: Mr.S.Palani Velayutham
For R1 to R3	: Mr.S.R.A.Ramachandran Additional Government Pleader
For R4	: No appearance

ORDER

The present Writ Petition has been filed seeking a Mandamus to direct the 2nd respondent not to register any document relating to certain survey numbers, if the same is presented by the 4th respondent herein.

2.Admittedly, the petitioner and the 4th respondent are the joint pattadhars. The petitioner apprehends that the 4th respondent is attempting to



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alienate the property without the knowledge of the writ petitioner. As per Rule 55 of Tamil Nadu Registration Rules, 1983, the respondent authorities do not have any power to go into the issue of title. They have to look into only the parent document and the revenue records to establish the antecedent title of the presenter of the document. In such circumstances, the prayer of the writ petitioner cannot be granted and the statutory authorities cannot be prevented from exercising their statutory functions.

3.In view of the aforesaid facts, the Writ Petition stands disposed of.
No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No
Internet : Yes / No
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28.09.2022

To

1.The District Registrar,
Department of Registration,
Tirunelveli Registration District,
Tirunelveli.

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R.VIJAYAKUMAR,J.

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2.The Sub-Registrar,
Department of Registration,
Radhapuram,
Tirunelveli District.

3.The Tahsildar,
Radhapuram Taluk,
Radhapuram,
Tirunelveli District.

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