



W.P(MD)No.13137 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.13137 of 2023

P.Krishnamoorthi

... Petitioner

Vs.

The Sub Registrar,
Thiruvaiyaru Sub Registrar Office,
Thanjavur District.

... Respondent

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to accept the registration of the Sale Deed dated 04.05.2023 executed by the petitioner in favour of S. Parvathi W/o. Late Selvaraj in respect of the properties in New Survey No.166/2B4 an extent of 0-04.50 Ares in Patta No.455, New Survey No.166/2B5 an extent of 0-40.5 Ares out of



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0.78.00 Ares in Patta No.602, New Survey No.259/9 an extent of 0-73.00 Ares, New Survey No.151/2 an extent of 0-37.50 Ares in Patta No.106, New Survey No.184/2A an extent of 0-34.00 Ares in Patta No.591 in Thiruchotruthurai Village Thiruvaiyaru Taluk Thanjavur District as per the Online Application No.TP/149819491/2023 dated 04.05.2023.

For Petitioner : Mr.A.Haja Mohideen

For Respondent : Mr.C.Satheesh
Government Advocate

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate, who had taken notice on behalf of the respondent.

2. The Writ Petition has been filed in the nature of a Mandamus seeking a direction to the respondent to register the sale deed, dated 04.05.2023 executed by the petitioner in favour of S.Parvathi wife of Selvaraj, with respect to the lands in New Survey No.166/2B4 an



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extent of 0-04.50 Ares in Patta No.455, New Survey No.166/2B5 an extent of 0-40.5 Ares out of 0.78.00 Ares in Patta No.602, New Survey No.259/9 an extent of 0-73.00 Ares, New Survey No.151/2 an extent of 0-37.50 Ares in Patta No.106, New Survey No.184/2A an extent of 0-34.00 Ares in Patta No.591 in Thiruchotruthurai Village Thiruvaiyaru Taluk Thanjavur District as per the Online Application No.TP/149819491/2023 dated 04.05.2023.

3. It is stated by the learned counsel for the petitioner that the petitioner has patta for the above lands.

4. However, my attention is drawn to the fact that one Radhakrishnan, son of Arumugam, residing at Alwarthirunageri, had filed W.P.(MD) No.1907 of 2021 as a "Public Interest Litigation" stating that the lands belonging to Sriannapoorani Dharmachathiram Vedhapadasalai Trust, should not sold or conveyed or registered.

5.The respondent will necessarily have to issue a refusal check slip or take a decision on the basis of the representation given by



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the petitioner depending whether the aforementioned land belongs to the petitioner herein or are also lands of aforementioned trust.

6. It is an issue on fact, but the respondent cannot keep the document pending for ever. Necessary decision may be taken to either register the document or to issue a refusal check slip. The said decision may be taken within a period of two weeks from the date of receipt of a copy of this order and conveyed to the petitioner herein.

7. With the above directions, the Writ Petition stands disposed of. No costs.

07.06.2023

Index :Yes/No
Internet :Yes/No
NCC : Yes / No

RM



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To
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The Sub Registrar,
Thiruvaiyaru Sub Registrar Office,
Thanjavur District.



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C.V.KARTHIKEYAN, J.

RM

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