



1

W.P.(MD)NO.25522 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.25522 of 2023

P.Bharatha

... Petitioner

Vs.

The Sub Registrar,
Peraiyur Sub Registrar Office,
Madurai District.

... Respondent

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to accept registration of the Gift Settlement Deed dated 25.09.2023 executed by the petitioner in favour of her son P. Selvamani in respect of the property in Survey No.171/5A measuring an extent of 46½ cents in P. Thottiyapatti Village, Peraiyur Taluk, Madurai District as per the Online Application No.TP/160395267/2023 dated 10.10.2023, within the period stipulated by this Court.

For Petitioner : Mr.A.Haja Mohideen

For Respondent : Mr.K.Balasubramani,
Special Government Pleader.

* * *

**ORDER**

WEB COPY

Heard both sides.

2. The petitioner wants to execute a deed of settlement conveying the petition-mentioned property in favour of her son. When it was presented for registration, the respondent declined to entertain the same. That led to the filing of this writ petition.

3. When the matter was taken up for hearing, the learned Special Government Pleader submitted that the property in question was originally attached at the instance of TNPID Court, Madurai. It has been subsequently clarified by the competent authority himself that the attachment has been lifted. But the consequential entries have not been made in the Encumbrance Register.

4. When even according to the respondent, there is no subsisting attachment, registration cannot be denied. The petitioner is permitted to re-present the document. The respondent will receive the document, register the same and



release it subject to fulfillment of the other usual formalities.

This writ petition stands allowed. No costs.

22.11.2023

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

To:

The Sub Registrar,
Peraiyur Sub Registrar Office,
Madurai District.



WEB COPY



4

W.P.(MD)NO.25522 OF 2023

G.R.SWAMINATHAN,J.

PMU

W.P.(MD)No.25522 of 2023

22.11.2023