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W.P.No.28694 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2024

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.28694 of 2024

Pappammal

...Petitioner

Vs.

1.The District Registrar
Thiruvallu, Thiruvallur District.

2.The Sub-Registrar
Thiruttani, Thiruvallur District.

3.N.Devaraji

4.B.Govindharajalu

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the second respondent to conduct an enquiry based on the petitioner's representation/protest petition dated 15.06.2024 under the provisions of the Registration Act and Rules and conclude the same within a time stipulated by this Court.



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For Petitioner : Mr.A.Ilayaperumal

For Respondent : Mr.T.Chezhiyan for R1 & R2
Additional Government Pleader

ORDER

The petitioner herein seeks a direction to the second respondent to conduct enquiry based on his protest petition dated 15.06.2024 under the provisions of Registration Act.

2. It is the case of the petitioner that the subject property originally belonged to one Parasurama Naidu and he is the class-II heir of the said Parasurama Naidu. It is further averred that one Devaraj without having any right over the subject property executed a sale deed in favour of one Govindarajulu and the same was registered as Doc.1073 of 2024 on the file of the second respondent. The purchaser of the said property attempted to mutate the revenue records in his favour and hence the representation was submitted by the petitioner before the first respondent. Further the petitioner also submitted protest petition on 15.06.2024 before the second respondent requesting him not to entertain any document for registration pertains to the



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properties situated in S.Nos.19/2, 34/1, 34/10, 34/12, 34/13, 34/14, 34/15, 34/16, 34/17, 34/18, 34/19, 34/3, 34/5B, 34/6, 34/7, 34/8 & 36/5, the same has not been considered. Therefore, the petitioner is before this Court.

3. Mr.T.Chezhiyan, learned Additional Government Pleader who takes notice for the respondents on written instructions would submit that based on the legal heirship certificate and other documents produced by the above said Devaraj, the document presented by him was registered.

4. It is also stated that the petitioner has not produced any documents to assert his right over the properties mentioned in his protest petition and therefore, the protest petition of the petitioner dated 15.06.2024 was returned to the petitioner directing him to furnish the documents to establish his right over the properties mentioned therein.

5. In view of the fact that the protest petition submitted by the petitioner dated 15.06.2024 was returned to the petitioner on the ground that the petitioner failed to submit any document to establish his right over the properties mentioned therein, no further direction is required in this Writ



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Petition and accordingly, this Writ Petition is dismissed.

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6. It is not open to the petitioner to submit an application before the Sub-Registrar not to entertain any document for registration in respect of vast extent of properties on mere apprehension some third parties would attempt to encumber the property. If the petitioner reliably understands that some specific individual is attempting to encumber the property over which the petitioner has got right, it is always open to him to workout his remedy before the Civil Court seeking prohibitory orders against the person concerned.

7. With these observation, this Writ Petition stands dismissed. No costs.

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Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
dna



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To

- 1.The District Registrar
Thiruvallu, Thiruvallur District.
- 2.The Sub-Registrar
Thiruttani, Thiruvallur District.



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S.SOUNTHAR, J.
dna

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