



W.P(MD)No.3501 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.11.2024

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.3501 of 2024

N.Rajasundareswaran

... Petitioner

Vs

1.The Sub Registrar,
Melur East Sub Registration Office,
Sivagangai Road,
Melur,
Madurai District.

2.Muthuchamy

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the first respondent to entertain and register the sale deed in respect of the petitioner's landed property of an extent of 0.30.00 Ares comprised in Survey No.188/8A, situated at Kilaiyur Village, Melur Taluk, Madurai District without insisting removal of mortgage entry dated 27.04.1988 and made over entry dated 05.03.1993 by considering his representation dated 29.01.2024 and for other reliefs.

For Petitioner : Mr.J.Lawrance

For R – 1 : Mr.S.P.Maharajan
Special Government Pleader



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ORDER

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This Writ Petition has been filed for a direction, directing the first respondent to entertain and register the sale deed in respect of the petitioner's landed property to an extent of 0.30.00 Ares comprised in Survey No.188/8A, situated at Kilaiyur Village, Melur Taluk, Madurai District without insisting removal of mortgage entry dated 27.04.1988 and made over entry dated 05.03.1993 by considering his representation dated 29.01.2024.

2.When the matter is taken up for hearing today, Mr.S.P.Maharajan, learned Special Government Pleader appearing for the first respondent, on instructions, would submit that no sale deed has been so far presented for registration in respect of the subject property.

3.The learned counsel appearing for the petitioner would submit that in order to deal with the subject property, already the petitioner submitted a representation and it is pending on the file of the first respondent. The petitioner was informed that as per the Encumbrance Certificate, there is a mortgage in respect of the subject property.



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4. In view of the above, if any document is presented for registration in respect of the subject property, the first respondent is directed to issue notice to the petitioner and the second respondent and after affording an opportunity of hearing to them and pass appropriate orders, on merits and in accordance with law, as expeditiously as possible.

5. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

07.11.2024

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

To

The Sub Registrar,
Melur East Sub Registration Office,
Sivagangai Road,
Melur,
Madurai District.



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G.K.ILANTHIRAIYAN, J.

ps

Order made in
W.P(MD)No.3501 of 2024

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