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W.P.(MD)NO.13582 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.06.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.13582 of 2024

V.Rekha

... Petitioner

Vs.

1. The District Registrar,
O/o.the District Registrar,
Palace Road,
Madurai.

2. The Sub Registrar, Joint IV,
Palanganatham Registration Office,
Palanganatham,
Madurai – 625 003.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, preventing the respondents No.1 and 2 from registering the petitioner property to any prospective purchaser situated at Plot No.37, Survey No.240/6 Sringeri Nagar, Bypass Road, Ponmeni, Madurai district by way of considering the petitioner's representation, dated 28.05.2024 within a time frame as fixed by this Court.

For Petitioner : Mr.K.Neelamegam

For Respondents : Mrs.D.Farjana Ghoushia,
Special Government Pleader.

* * *

**ORDER**

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Heard both sides.

2. The petitioner's husband is said to be suffering from terminal illness. The petitioner apprehends that the husband's property may be illegally or unauthorisedly dealt with. She has therefore given a representation dated 28.05.2024 calling upon the registering authority to not to entertain any document. The petitioner in this writ petition wants the registering authority to be restrained from registering any document pertaining to the petition mentioned property.

3. When the matter was taken up for hearing, the learned Additional Government Pleader informed the Court that in the absence of the restraint order from the competent Court, the registering authority cannot take cognizance of the petitioner's representation.

4. Taking into account the special facts and circumstances of this case, the second respondent is directed to conduct a full fledged and proper enquiry while entertaining any document pertaining to the petition



mentioned property. Unless the second respondent is satisfied that the title holder had executed the document in question, no registration shall be made. This writ petition stands disposed of accordingly. No costs.

26.06.2024

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

To:

1. The District Registrar,
O/o.the District Registrar,
Palace Road,
Madurai.
2. The Sub Registrar, Joint IV,
Palanganatham Registration Office,
Palanganatham,
Madurai – 625 003.



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G.R.SWAMINATHAN,J.

PMU

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