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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.07.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.15590 of 2024
and
W.M.P(MD)No.13635 of 2024

John ... Petitioner

Vs.

1.The District Registrar,
District Registrar Office,
Thoothukudi District.

2.The Sub Registrar,
Murappanadu Sub Registrar Office,
Thoothukudi District. ... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the entire records pertaining to the impugned order passed by the second respondent vide his proceedings in RFL / Murappanadu / 75/2024 dated 04.07.2024 and quash the same as illegal and further direct the second respondent to register the document in TP/178222741 / 2024 dated 04.07.2024.

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For Petitioner : Mr.R.L.Dhilipan Pandian

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

ORDER

Heard both sides.

2.The petitioner claims to be the office bearer of a trust. From a reading of the objectives of the trust, it appears to be a public trust. The properties belonging to a public trust can be sold only after getting permission from the Court. The petitioner ought to move the jurisdictional civil Court for obtaining permission for alienating the property. The civil Court would cause paper publication to be made, invite objections and ensure that the property is sold in public auction so that the property can realise the best price. The civil Court also may take a call as to whether sale is necessitated or not. If any such suit is filed under Section 92 of CPC, it shall be numbered immediately subject to the fulfilment of the usual formalities. The learned trial Judge will endeavour to dispose of the same as expeditiously as possible. I am giving such a direction because the petitioner is aged about 80 years.

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3.Granting liberty to the petitioner to move the jurisdictional civil Court, this writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

23.07.2024

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

Note: Issue order copy on 26.07.2024.

To

1.The District Registrar,
District Registrar Office,
Thoothukudi District.

2.The Sub Registrar,
Murappanadu Sub Registrar Office,
Thoothukudi District.

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G.R.SWAMINATHAN,J.

MGA

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