



W.P(MD)No.20201 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.08.2024

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P(MD)No.20201 of 2024

Selvakumar @ Seeman

... Petitioner

Vs.

1.The District Collector,
(Document Registration),
Madurai North Registration District,
Rajakambeeram, Y.Othakadai,
Madurai District.

2.The Sub Registrar,
Thamaraipatti Office,
at Chittampatti Madurai East Taluk,
Madurai District.

3.Solaimalai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent to consider the petitioner's representation dated 20.06.2023 within a time frame that may be stipulated by this Court and directing the 2nd respondent not to register any transaction without the petitioner's consent regarding his ancestral agricultural property in Survey No.121/2 to the extent of 0-17.50 Hectare.Are at Mangulam 2nd Pit Revenue Village, Madurai East Taluk, Madurai District.



W.P(MD)No.20201 of 2024

For Petitioner : Mr.R.Udhayakumar
For R1 & R2 : Mr.P.Subbaraj,
Special Government Pleader

ORDER

This Writ Petition has been filed, seeking a direction to the 2nd respondent to consider the petitioner's representation dated 20.06.2023 within a time frame that may be stipulated by this Court and further, not to register any transaction without consent of the petitioner regarding his ancestral agricultural property in Survey No.121/2 to the extent of 0-17.50 Hectare. Are at Mangulam 2nd Pit Revenue Village, Madurai East Taluk, Madurai District.

2.It is the case of the petitioner that the property in question belonged to his grandfather, who died on 08.02.2008. Thereafter, the father of the petitioner / 3rd respondent herein obtained legal heirship certificate and obtained joint patta in Patta No.2503. Now, the grievance of the petitioner is that the 3rd respondent is trying to sell the property in question without his consent. Therefore, he made a representation dated 20.06.2023 to the 2nd respondent not to register any document with regard to the property in question without consent of the petitioner. Since the same has not been considered so far, the petitioner has filed this Writ Petition.



W.P(MD)No.20201 of 2024

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3.At the outset, this Court is of the view that such direction sought for by the petitioner cannot be issued by this Court. However, if at all the petitioner has any right over the property in question, the same has to be crystallized only by the civil Court. Mere sending any representation, restraining the authorities from registering the documents, cannot be sustained in the eye of law. Even the father as a guardian of the family is entitled to sell the property for legal necessities.

4.With the above observation, this Writ Petition is dismissed. No costs.

27.08.2024

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

Yuva

To

1.The District Collector,
(Document Registration),
Madurai North Registration District,
Rajakambeeram, Y.Othakadai,
Madurai District.



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W.P(MD)No.20201 of 2024

N.SATHISH KUMAR, J

Yuva

2.The Sub Registrar,
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Madurai District.

W.P(MD)No.20201 of 2024

27.08.2024