



W.P.(MD) No.24063 of 2016

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE **K.KUMARESH BABU**

W.P.(MD) No.24063 of 2016

M.Ponnuthai

... Petitioner

/vs./

1.The Sub Registrar,
Office of the Sub Registrar,
Puliankudi,
Kadayanallur Taluk,
Tirunelveli District.

2.Muthulakshmi

3.Vellathai

4.Muppidathy Pandian
(R2 to R4 have been impleaded vide
order dated 11.01.2017)

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 16.09.2016 and consequently, direct the respondent not to allow the cancellation of the mortgage deed vide Doc.No. 3164



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of 2013 dated 4.11.2016 unilaterally, without knowledge of the petitioner, which was executed in favour of the petitioner's son, namely M.Tharmaraj.

For Petitioner : Mr.V.Muthuvelan
For R1 : Mr.M.Sarangan
Additional Government Pleader
For R2 : Mr.F.X.Eugene
For R4 : No appearance

ORDER

The prayer in the writ petition is seeking for a Mandamus to direct the respondents to consider the representation of the petitioner dated 16.09.2016 and not to allow the cancellation of mortgage deed vide Doc.No.3164 of 2013 dated 04.11.2016 unilaterally without the knowledge of the petitioner.

2. The said claim made by the petitioner could not be entertained by the respondents, in view of the judgment of the Hon'ble Apex Court in the case of ***Satya Pal Anand Vs. State of M.P. and others*** reported in ***2016 10 SCC 767***. However, if the petitioner is aggrieved by the conduct of the respondents 3 and 4, she is at liberty to approach the appropriate civil Court seeking to remedy her grievances.



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3. With such liberty, the Writ Petition stands dismissed. However, there shall be no order as to costs.

Index : Yes / No
Internet : Yes / No
mm

05.12.2024

To

The Sub Registrar,
Office of the Sub Registrar,
Puliankudi,
Kadayanallur Taluk,
Tirunelveli District.



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K.KUMARESH BABU, J.

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