



W.P(MD)No.25797 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.11.2024

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.25797 of 2024

and

W.M.P(MD)Nos.21874 & 21878 of 2024

S.Prema

... Petitioner

Vs

1.The Sub Registrar,
Sub Registration Office,
Srivilliputhur,
Virudhunagar District.

2.Vellaichamy

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari to call for the records of the first respondent pertaining to the impugned order made in Na.Ka.No. 444/2024, dated 20.09.2024 on the file of the first respondent and quash the same as illegal and arbitrary within the time stipulated by this Court.

For Petitioner : Mr.A.D.Ganeshamoorthi

For R – 1 : Mr.M.Sarangan
Additional Government Pleader

For R – 2 : Mr.K.Shanta Kumar



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ORDER

This Writ Petition has been filed challenging the order passed by the first respondent, dated 20.09.2024 thereby rejected the objections raised by the petitioner from alienating the subject property by the second respondent.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The petitioner and the second respondent are husband and wife. The property bearing plot Nos.56 and 93 to an extent of 2160 square feet (6 cents) comprised in Survey Nos.312/1 and 312/1C4 situated at Muthuvengitrayapuram Village, Kumaran Nagar Layout, Srivilliputhur Taluk, Virudhunagar District was purchased by the second respondent by the registered sale deed dated 12.10.2009 vide registered Document No.6503 of 2009.



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4.The apprehension of the petitioner is that the second respondent has proposed to sell the subject property to a third party and submitted an objection before the first respondent not to register a sale deed with regard to the aforementioned plots alleging that the subject property was purchased in the hard earning money of the petitioner in the name of the second respondent. Now the second respondent roaming around without taking care of the petitioner. He is also mentally disordered and as such, a third party may purchase the subject property at a cheaper rate. Further, the petitioner gave birth to two female children and one son. However, the said objection was rejected by the first respondent, dated 20.09.2024.

5.Admittedly the property stands in the name of the second respondent. Further, the petitioner failed to submit any document to show that the petitioner has title over the subject property. Therefore the objection raised by the petitioner was rightly rejected by the first respondent, dated 20.09.2024 and this Court finds no infirmity or illegality in the order passed by the first respondent. The Writ Petition itself is devoid of merits and the same is liable to be dismissed.



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6. Accordingly, the Writ Petition is dismissed. However, the petitioner is at liberty to approach the civil court for appropriate relief, if so advised. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

12.11.2024

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

To

The Sub Registrar,
Sub Registration Office,
Srivilliputhur,
Virudhunagar District.



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G.K.ILANTHIRAIYAN, J.

ps

Order made in
W.P(MD)No.25797 of 2024

12.11.2024