



W.P.(MD)No.29104 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.12.2024

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.(MD)No.29104 of 2024

and

W.M.P(MD)No.24628 of 2024

Krishnan

...Petitioner

-Vs-

1.The District Registrar,
Kumbakonam,
Thanjavur District.

2.The Sub Registrar,
Swamimalai Sub Registrar Office,
Swamimalai,
Thanjavur District.

3.G.Anbalagan

...Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, forbearing the 1st and 2nd respondents herein from registering the documents with regard to property in Survey Nos.19/8, 19/10, 19/18B, 19/19, 19/20, 19/21, 20/6, 23/9A, 33/2, 35/10, 64/3B, 66/10B, 261/5, 264/10 and 268/5 situated at Innambur village, Kumbakonam taluk, Thanjavur District based on the petitioner's representation dated 25.11.2024.



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For Petitioner : Mr.G.Gomathisankar
For Respondent : Mr.S.P.Maharajan
Special Government Pleader
for RR1 & 2

ORDER

This writ petition has been filed for a direction, forbearing the respondents 1 and 2 from registering the documents in respect of property in Survey Nos.19/8, 19/10, 19/18B, 19/19, 19/20, 19/21, 20/6, 23/9A, 33/2, 35/10, 64/3B, 66/10B, 261/5, 264/10 and 268/5 situated at Innambur Village, Kumbakonam Taluk, Thanjavur District is owned by the petitioner.

2.Originally, the property comprised in Survey Nos.19/8, 19/10, 19/18B, 19/19, 19/20, 19/21, 20/6, 23/9A, 33/2, 35/10, 64/3B, 66/10B, 261/5, 264/10 and 268/5 situated at Innambur Village, Kumbakonam Taluk, Thanjavur District is owned by the petitioner's father. After his demise, one of his brothers namely, the third respondent herein intended to sell the entire property without consent from the petitioner and without partitioning the subject property. However, the third respondent cannot sell the entire extent of the property.



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3.However, if any sale deed in respect of the entire extent of the property is presented for registration, the second respondent is directed to issue notice to the petitioner and the third respondent and conduct an enquiry and pass orders on merits and in accordance with law in respect of the subject property.

4.With the above said directions, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

04.12.2024

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

To

1.The District Registrar,
Kumbakonam,
Thanjavur District.

2.The Sub Registrar,
Swamimalai Sub Registrar Office,
Swamimalai,
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RJR

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