



W.P.(MD)No.29459 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **09.12.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P.(MD)No.29459 of 2024

Mydeen Gnaniyar

... Petitioner

-Vs-

The Sub Registrar,
Melapalayam Sub Registrar Office,
Melapalayam, Tirunelveli District.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the respondent in Refusal No.RFL/Melapalayam/157/2024, dated 22.11.2024 and quash the same and consequently, to direct the respondent to register the sale deed document presented by the petitioner dated 22.11.2024 and return the same within the time fixed by this Court.

For Petitioner : Mr.T.Selvan

For Respondent : Mr.M.Sarangan,

Additional Government Pleader

ORDER

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.



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2. According to the petitioner, the property comprised in S.No.52/1B2 to an extent of 65 cents out of 1 acre 70 cents belongs to one Ramasamy Pillai. He died on 28.06.2003. After his demise, oral partition held among the family members of Ramasamy Pillai, wherein, the subject property was allotted to one R.Sankaralingam, who executed a power of attorney in favour of the petitioner and the same was presented for registration on 22.11.2024. However, the respondent, vide refusal check slip dated 22.11.2024, refused to register the same on the ground that the entire property was already sold out in favour of so many persons. Challenging the same, the petitioner has filed this Writ Petition.

3. Mr. M. Sarangan, learned Additional Government Pleader takes notice for the respondent.

4. A perusal of the encumbrance certificate of the subject property reveals that the said Ramasamy Pillai had ten legal heirs. That apart, the land comprised in S.No.52/1B2 was already sold out in the name of Saron Nagar and various sale deeds have been executed in respect of house plots in favour of several persons. In such view of the matter, the entire extent of the property could not have been allotted in favour of the petitioner. Therefore, the



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respondent has rightly rejected the power of attorney deed, which was presented for registration by the petitioner.

5.In view of the above, finding no infirmity or illegality in the order passed by the respondent, this Writ Petition stands dismissed. No costs.

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Index : Yes / No
NCC : Yes / No

Yuva

TO:-

The Sub Registrar,
Melapalayam Sub Registrar Office,
Melapalayam, Tirunelveli District.



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G.K.ILANTHIRAIYAN, J.

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