



W.P.(MD)No.30669 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.12.2024**

CORAM:

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

W.P.(MD)No.30669 of 2024

S.Mahendrapandi

... Petitioner

/Vs./

1. The District Registrar
Palayamkottai,
Tirunelveli District.

2. The Sub-Registrar
Kovilpatti,
Thoothukudi District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, seeking direction that the respondent Nos.1 and 2 to release the Survey No. 66/10B, 66/11B and 66/12B Kovilpatti, Thoothukudi District, for further registration by considering the petitioner's representation dated 08.10.2024 within a stipulated time period as prescribed by this Court and consequently direct them to give opportunity of hearing to the petitioner before passing final order.

For Petitioner : Mr.S.Saravanan

For Respondents : Mr.M.Sarangan

Additional Government Pleader



W.P.(MD)No.30669 of 2024

WEB COPY

ORDER

This writ petition has been filed for a direction directing the respondents 1 & 2 to release the property comprised in S.No.66/10B, 66/11B and 66/12B, Kovilpatti, Thoothukudi District for further registration.

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

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

4. The properties comprised in S.No.66/10B, 66/11B and 66/12B, Kovilpatti, Thoothukudi District belonged to the petitioner's father and he derive title by way of partition deed in document No.1307/1998 and also by way of sale deed by document No.1910/1998. Apart from that, the petitioner's brother owned property by way of registered sale deeds vide document Nos.2504/2001 and 5696/2005 those lands were also



W.P.(MD)No.30669 of 2024

issued patta in favour of the petitioner's family members. While being so, on verification of encumbrance, it came to understand that the Survey No.66 and some other survey numbers endorsed as Court Orders Document No.27/2001 dated 17.08.2001 and sofar the petitioner cannot deal with the properties. The subject properties are not at all connected to any of the Court proceedings.

5. The learned Additional Government Pleader appearing for the respondents 1 & 2, on instructions, would submit that as per the order passed by the Sub-Court, Kovilpatti in I.A.No.15 of 2001 in O.S.No.6 of 2001 there was an order of attachment before the judgment in respect of the property situated in D.Nos.59 to 67, 70 to 79, 67/3, 67/4, 67/5, 69/A, 79/C, 79/D, 79/E, 56, 56A, 57, 58, 79/A, 79/B at Vakkil Street, Kovilpatti.

6. The Court is very clear that the attaching the property situated in respect of door numbers. Those properties are no way connected with the properties owned by the petitioner and his family members. Therefore, the second respondent is directed to rectify the mistake in the



W.P.(MD)No.30669 of 2024

encumbrance of the petitioner's subject property owned by the petitioner and his family members and entertain any deed of conveyance in respect of the subject property and pass orders within a period of two weeks from the date of receipt of a copy of this order.

7. With the above direction, the writ petition is disposed of. No costs.

20.12.2024

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



WEB COPY



W.P.(MD)No.30669 of 2024

TO:-

1. The District Registrar
Palayamkottai,
Tirunelveli District.
2. The Sub-Registrar
Kovilpatti,
Thoothukudi District.



WEB COPY



W.P.(MD)No.30669 of 2024

G.K.ILANTHIRAIYAN, J.

AM

Order made in
W.P.(MD)No.30669 of 2024

Dated:
20.12.2024