



W.P.(MD)No.31147 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.31147 of 2024

S.Selvakumar

... Petitioner

/Vs./

The Sub-Registrar,
No.4, Joint Sub Registrar Office,
Madurai South,
Madurai District.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to register and release the petitioner's sale deed in Application No.TP/203995698/2024 dated 13.12.2024 in regard to his family house property at Plot No.1, Resurvey No.39/3, Palanganatham, No.24, Madakulam Village, Thiruparangundram Taluk, Madurai District within the time limit that may be stipulated by this Court.

For Petitioner : Mr.K.Sankar

For Respondent : Mr.S.P.Maharajan

Special Government Pleader



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ORDER

This writ petition has been filed seeking for a direction to the respondent to register and release the petitioner's sale deed, which was refused to receive the same.

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

3. The petitioner's father and his grandmother had jointly purchased the property comprised in Resurvey No.39/3, Palanganatham, No.24, Madakulam Village, Thiruparangundram Taluk, Madurai District by the registered sale deed dated 21.01.1996 vide Document No. 114/1976. The petitioner's grandmother and her only son ie., the petitioner's father died and the subject property is inherited by the petitioner herein. Thereafter, the petitioner has executed the sale deed in favour of a third party in respect of the subject property. The petitioner obtained legal heirship certificate of his father. But, there is no legal heirship certificate of his grandmother. According to the petitioner, except his father, there are no other legal heirs. However, the respondent



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did not even receive the sale deed for registration on the ground that the petitioner failed to produce the legal heirship certificate of his grandmother saying that the petitioner's father alone is the legal heir of the petitioner's grandmother.

4. Admittedly, there is no rival claim from any other persons as if the legal heir of the petitioner's grandmother. In view of the same, the petitioner is directed to file an affidavit stating that except his father, there are no other legal heirs to his grandmother and present the sale deed for registration. On receipt of the same, the respondent is directed to register and release the same, if it is otherwise in order.

5. With the above direction, the Writ Petition stands disposed of.
There shall be no order as to costs.

20.12.2024

Index : Yes / No
NCC : Yes / No
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G.K.ILANTHIRAIYAN, J.

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TO:-

The Sub-Registrar,
No.4, Joint Sub Registrar Office,
Madurai South,
Madurai District.

Order made in
W.P.(MD)No.31147 of 2024

Dated:
20.12.2024