

W.P.No.28440 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 06.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.28440 of 2025
and W.M.P.No.31847 of 2025

S.Vijayalakshmi

... Petitioner

Vs.

1.The District Collector,
Office of the Collectorate
Salem District.

2.The District Registrar
Office of the District Registrar
Salem District.

3.The Sub Registrar
Office of the SRO,
Pethanaickenpalayam
Salem District.

4.The Tahsildar
Office of Tahsildar
Attur Taluk,
Salem District.

5.Ramasamy

6.Chinnathambi

... Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, challenging the impugned order dated 24.06.2025 passed by the 3rd respondent and quash the same as



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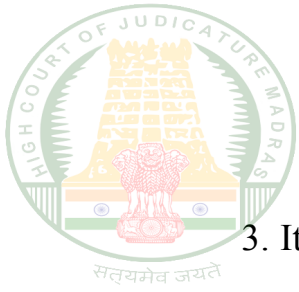
illegal and consequently direct the 3rd respondent to conduct proper enquiry on the petitioner's objection dated 24.06.2025.

For Petitioner(s) : Mr.A.Rajakumar
For Respondent(s) : Mr.Abishek Murthy for R1 to R4
Government Advocate

ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself. In view of the order that this Court proposes to pass and also the limited relief that is sought to be granted, notice to the respondent Nos.5 and 6 is dispensed with.

2. The present writ petition is filed praying for a writ of Certiorarified Mandamus, calling for records pertaining to the impugned order dated 24.06.2025 passed by the 3rd respondent wherein petitioner's objection was rejected stating that the petitioner's objection for not to register documents/conveyance in respect of S.Nos.241/1 and 241/3 cannot be acceded to unless there is an order of stay granted by Competent Court or if petitioner produce previous title deeds along with protest petition.



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3. It is submitted by the learned counsel for the petitioner that petitioner is a destitute widow and permanent resident of Gandhi Nagar, Attur, Salem District. She is in possession and enjoyment of properties comprised in S.Nos.241/1, measuring an extent about 76 cents, and S.No.241/3 measuring an extent of about 60 cents in Kalpaganur Village, Attur Taluk, Salem District. The petitioner filed an application seeking patta to the aforesaid lands.

4. While so, 4th respondent issued a certificate in respect of the subject property comprised in S.No.241/1 and 241/3, that D-Namuna Patta was issued in favour of respondent 5 and 6 and that there is no bar against registration in respect of subject property. In response, learned counsel for petitioner would submit that the subject lands are kalar nilam and the certificate dated 16.08.2024 and 03.06.2025 is illegal.

5. At the outset, it is submitted by the learned Government Advocate appearing for the respondents 1 to 4 that the application of the petitioner is misconceived and pre-mature inasmuch as no conveyance/deed has been presented for registration yet. He further submitted that petitioner may submit a protest letter before the learned Sub-Registrar requesting that no registration be permitted in respect of the properties comprised in S.Nos.241/1 to an extent of



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about 76 cents, and S.No.241/3 to an extent about 60 cents in Kalpaganur

Village, Attur Taluk, Salem District, along with the necessary documents after paying appropriate fee, agreed to by learned counsel for petitioner.

6. In view of the limited relief that is prayed, this court is inclined to dispose of the writ petition with following directions;

(i).It is left open to the petitioner to submit a protest letter along with all necessary documents after paying appropriate fee, within a period of two(2) weeks from the date of receipt of a copy of this order. On receipt of such protest letter, the 3rd respondent shall consider the same, after issuing notice to respondent 5 and 6 and any other interested party.

(ii). It is made clear that this Court has not expressed any views with regard to the merits of the case and it is open to the concerned respondent to consider the matter on its own merits and in accordance with law. Rights and contentions of the petitioner and all other interested parties are left open.

(iii). It is also made clear that if any document/deed is presented for registration, and if any protest letter is received from petitioner objecting to registration of subject property, enquiry should be conducted after issuing notice to the petitioner as



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well as entity/person presenting any deed for registration.

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7. With the above observation, this writ petition is disposed of. Consequently connected miscellaneous petition is closed. There will be no order as to cost.

06.08.2025

Index : Yes/ No
Speaking (or) Non Speaking Order
Neutral Citation: Yes/No
msv

To

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MOHAMMED SHAFFIQ, J.

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