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W.P.No.34096 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2025

Coram

The Honourable **Mr.Justice Krishnan Ramasamy**

W.P.No.34096 of 2025

S.SENTHIL KUMAR

... Petitioner

Vs.

1 THE INSPECTOR GENERAL OF REGISTRATION,
REGISTRATION DEPARTMENT,
SANTHOME CHENNAI 600 028.

2 THE DISTRICT REGISTRAR,
TAMILNADSU REGISTRAR DEPARTMENT,
CHENGALPET DISTRICT, CHENGALPET 603 002.

3 SUB REGISTRAR,
TAMBARAM CHENGALPET District
CHENGALPET 603 002.

4 MARIYAMMAL

5 ABIRAMI

... Respondents

Prayer

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 1 -3 to consider and dispose of the petitioner's representation dated 02.01.2025 and 14.07.2025 in accordance with law and consequently restraining the 4th and 5th respondents or any person claiming through or under them from executing or presenting for registration of any document in respect of 82 cents in old survey No. 1/3, new No. 1/3A and 6 cents in



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Old survey No. 23/3C, new No.23/3C1, in No. 135 Mudichur village
Tambaram Taluk, Chengalpet District without prior consent of the
petitioner and pass.

For Petitioner : Mrs.V.Nalini
for Mr.Louisal Ramesh
For Respondents 1 to 3 : Mr.Stalin Abimanyu
Additional Government Pleader

Order

Heard Mrs.V.Nalini for Mr.Louisal Ramesh learned counsel appearing
for the petitioner and Mr.Stalin Abimanyu, learned Additional Government
Pleader, who takes notice on behalf of the respondents 1 to 3. With consent,
the main Writ Petition is taken up for final disposal at the stage of admission
itself.

2. The petitioner has filed this Writ Petition seeking for the
following relief:-

i) For the issuance of a Writ of Mandamus directing the respondents
1-3 to consider and dispose of the petitioner's representations dated
02.01.2025 and 14.07.2025 and to restrain the 4th and 5th respondents or
any person claiming through or under them from executing or presenting for
registration of any document in respect of the petitioner's property situated at



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Mudichur Village, Tambaram Taluk, Chengalpet District, without prior consent of the petitioner.

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3. Learned counsel for the petitioner would submit that the petitioner has given representations to the third respondent requesting him not to register any document presented by the fourth respondent in respect of the aforesaid property, however, as on date, no substantive action or reply has been taken/given by the third respondent, which necessitated the petitioner to approach this Court seeking for the aforesaid relief.

4. The learned Additional Government Pleader (T) for the respondents 1 to 3 after taking instructions from the respondents 1 to 3 would submit that the representation made by the petitioner, which is in the nature of Protest Petition is taken on record, however, the question of consideration of the same would arise only when a need arise and that so far, the respondents 4 and 5 have not approached them seeking for registration of any document and hence, such Protest Petition is kept under consideration, however, in the interregnum, since the petitioner has approached this Court seeking for a direction to consider the Protest Petitions/Representations, as



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and when any document is sought to be registered by the respondents 4 and 5 in favour of any third parties in respect of the petitioner's property, the petitioner would be issued with a due notice of hearing and after conducting proper enquiry, the respondent-Authority would act in accordance with law, and therefore, sought for appropriate direction in that regard.

5. I have given due considerations to the submission made by the learned counsel for the petitioner and the learned Additional Government Pleader for respondents 1 to 3. Considering the nature of relief that is to be passed herein, notice to respondents 4 and 5 is dispensed with.

6. In this Writ Petition, the petitioner seeks a direction on the Official respondents to restrain the private respondents from registering any sale deed/settlement deed/release deed in respect of the petitioner's property by considering the petitioner's representations dated 02.01.2025 and 14.07.2025.

6.1 As rightly pointed out by the learned Additional Government



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Pleader for respondents 1 to 3, the representation made by the petitioner is in the nature of Protest Petition, which requires them not to register any document presented by the respondents 4 and 5 in respect of the petitioner's property in favour of any other third party, however, unless and until, a necessity arises for them, that is to say, private respondents have approached them seeking for registration, as apprehended by the petitioner, they cannot be expected to pass orders on such Protest Petition merely on the basis of surmises and conjectures, and therefore, as and when, the respondents 4 and 5, or any other claiming through or under them seek for registration of any document covering the petitioner's property, certainly, the petitioner would be put on notice and after hearing the petitioner, the issue would be decided in accordance with law.

6.2 Thus, this Court, in view of the aforesaid submission made by the learned Additional Government Pleader for respondents 1 to 3, is inclined to pass/issue the following orders/directions:-

6.3 The representations/Protest Petitions made by the petitioner, dated 02.01.2025 and 14.07.2025 which were already taken on record, is



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directed to be considered by the respondent-Authority concerned in the event, respondents 4 and 5 approaches them seeking for registration of any document in respect of the subject property, by issuing due notice to the petitioner and after hearing the petitioner and conducting enquiry with regard to the parties entitlement over the subject property and on completion of such enquiry finds the object/protest petition to be tenable, shall proceed further with the matter in accordance with law, in consonance with the law laid down by the Hon'ble Division Bench, in the case of **Sudha Ravi Kumar Vs. The Special Commissioner and Commissioner of H.R.& C.E. Dept.)** reported in **A.I.R. 2017 MAD 203**.

7. In the result, the Writ Petition is allowed on the aforesaid terms.

No costs.

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Index : yes/no

To

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Krishnan Ramasamy,J.,

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