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W.P.No.37005 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :25.09.2025

Coram

The Honourable **Mr.Justice Krishnan Ramasamy**

W.P.No.37005 of 2025

Haraisunantharaj

...Petitioner

Vs.

1. The Inspector General of Registration
100, Santhome High Road,
Mullima Nagar, Mandavelipakkam,
Raja Annamalaipuram, Chennai – 600 028.

2. The Sub-Registrar,
Ashok Nagar Sub Registrar Office,
No.576, 2nd Floor, Mogappair Office,
Ambattur Industrial Estate,
Nolambur, Chennai – 600 037.

3. T.K.Divya

...Respondents

Prayer

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the second respondent to consider the petitioner's objection/protest petition dated 16.09.2025 sent by him through a registered post with acknowledgment card in pertaining to the property bearing Plot No.B185, Old Door No.13, New Door No.34, 11th Avenue, Ashok Nagar, Chennai- 600 083, comprised in Town Survey No.22, Block No.72 of Kodambakkam Part II Village, Mambalam Taluk, Chennai District.



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For Petitioner : Mr.K.Suthan
For Respondents 1 & 2 : Mr.U.Baranidharan,
Special Government Pleader
For Respondent-3 : Mr.J.N.Naresh Kumar

Order

Heard Mr.K.Suthan, learned counsel appearing for the petitioner and Mr.U.Baranidharan, learned Special Government Pleader, who takes notice on behalf of the respondents 1 and 2 and Mr.J.N.Naresh Kumar, learned counsel, who accepts notice for third respondent. With consent, the main Writ Petition is taken up for final disposal at the stage of admission itself.

2. This Writ Petition is filed seeking for the following prayer:-

i) For issuance of a mandamus directing the second respondent to consider the petitioner's objection/protest petition dated 16.09.2025 sent by him through a registered post with acknowledgment card in pertaining to the property bearing Plot No.B185, Old Door No.13, New Door No.34, 11th Avenue, Ashok Nagar, Chennai- 600 083, comprised in Town Survey No.22, Block No.72 of Kodambakkam Part II Village, Mambalam Taluk, Chennai District.



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3. Learned counsel for the petitioner would submit that the petitioner has filed a Protest Petition/objection to the second respondent with regard to registration of any document by the third respondent to and in favour of any third parties, as, the third respondent intends to alienate the subject property, based on certain forged documents, alleged to have executed in her favour by the petitioner's mother. However, as on date, said Protest Petition/objection has not been considered by the second respondent, and hence, the present Writ Petition is filed seeking for aforesaid relief.

4. The learned Special Government Pleader (T) for the respondents 1 and 2 fairly submitted that in the event any registration of documents takes place at the instance of the respondent No.3 with regard to the subject property, the petitioner's protest petition would be registered and the petitioner would be put on due notice and after conducting enquiry with regard to the original title/right/interest over the subject property, appropriate decision would be taken in accordance with law.



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5. The learned counsel for the third respondent would submit that the third respondent is the adoptive daughter of the petitioner's mother, and based on a Will executed by the petitioner's mother in favour of the third respondent, the third respondent intends to sell the subject property.

6. According to the petitioner's case, he is the owner of the subject property, having inherited the same from his mother, C.R.Shoba @ Shoba Cassell Reddy. However, the third respondent, T.K.Divya, who was appointed to take care of the petitioner's mother, fabricated certain documents and based on such fabricated documents created a Will, which was alleged to have executed by the petitioner's mother in her favour, in respect of the subject property, and is now attempting to alienate the subject property in favour of third party. Hence, the petitioner filed a Protest Petition/Objection dated 16.09.2025 to the second respondent, requesting the second respondent not to register any document to and in favour of the third party at the instance of the third respondent. Since the said objection is still kept pending, the present Writ Petition is filed.



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6.1 Per contra, it is the contention of the third respondent that she

was adopted by the petitioner's mother as her daughter and out of love and affection, the petitioner's mother executed a Will in her favour and based on the said Will, she intends to sell the subject property.

6.2 Be that, as it may, this Court, taking into consideration of the submission made by the learned Special Government Pleader for respondents 1 and 2 that in the event, if any registration takes place at the instance of third respondent, before such registration takes place, the petitioner's protest petition/objection dated 16.09.2025 would be registered and only after due notice to the petitioner and conducting an enquiry in regard to the petitioner's right over the subject property and appropriate decision would be taken, is inclined to dispose of the Writ Petition with a direction to the respondents 1 and 2 to consider the petitioner's objection/protest petition dated 16.09.2025 in the event, any registration takes place at the instance of the third respondent by way of sale/settlement/release deed bequeathing rights over the subject property to and in favour of any third party, and after serving due notice of hearing to



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the petitioner and conduct an enquiry as regards right/title/interest over the subject property, appropriate decision shall be taken in accordance with law.

7. With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

25.09.2025

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Index : yes/no

Neutral Citation : yes/no

To

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100, Santhome High Road,
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Krishnan Ramasamy,J.,

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