



Writ Petition No.6817 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 03.03.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.6817 of 2025

and

W.M.P.No.7501 of 2025

R.Shankar

S/o.Ramasamy

... Petitioner

Vs.

1.The District Registrar,
Salem District.

2.The Sub Registrar,
Sub Registrar Office,
Jalagandapuram,
Salem District.

3.M.Kala
W/o.Maadhaiyan

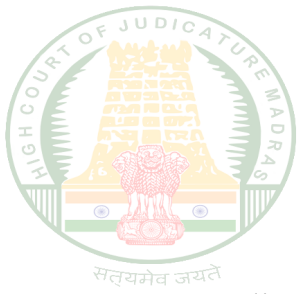
4.Vijay
S/o.Maadhaiyan

5.M.Saravanan
S/o.Maadhaiyan

6.M.Praveena
D/o.Maadhaiyan

7.R.Vishwanathan
S/o.Ramasamy

... Respondents



Writ Petition No.6817 of 2025

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed in Protest Petition No.1, 2 of 2025 dated 03.01.2025, quash the same as arbitrary and violative of principles of natural justice and consequently, direct the second respondent to conduct de nova enquiry in his protest petition by affording him opportunity of personal hearing.

For Petitioner : Mr.R.Prabakar

For Respondents : Mr.U.Baranidharan
Special Government Pleader [R1 & R2]

ORDER

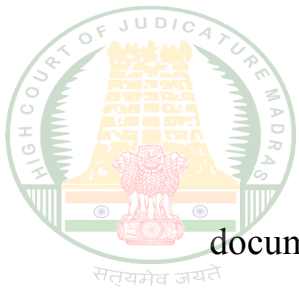
This writ petition has been filed challenging the impugned proceedings of the second respondent dated 03.01.2025 and for a consequential direction to the second respondent to conduct enquiry in the protest petition given by the petitioner and to take a decision in accordance with law.

2. Heard Mr.R.Prabakar, learned counsel for the petitioner and Mr.U.Baranidharan, learned Special Government Pleader appearing for respondents.



3. The grievance of the petitioner is that the private respondents were attempting to deal with the subject property, which was already a subject matter in civil proceedings and it went against the private respondents. In spite of the same, respondents 3 to 6 have entered into a sale agreement with respect to the same property and were attempting to present the same for registration. In view of the same, a protest petition was filed by the petitioner along with all the Court decrees. On receipt of the same, the second respondent, through impugned proceedings dated 03.01.2025, has rejected the protest petition. Aggrieved by the same, the present writ petition has been filed.

4. In the considered view of this Court, the second respondent will have an occasion to deal with the protest petition filed by the petitioner only if the document is actually presented for registration before the second respondent. Without there being a document presented for registration, it will not be proper for the second respondent to deal with the protest petition *per se*. Therefore, the second respondent has rightly returned the protest petition stating that as and when the document is presented for registration by the private respondents, the protest petition submitted by the petitioner along with relevant



Writ Petition No.6817 of 2025

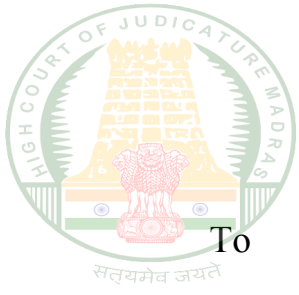
documents will be taken into account and a decision will be taken. This decision taken by the second respondent does not suffer from any illegality and it does not in anyway prejudice the rights of the petitioner. Hence, it does not require the interference of this Court.

5. It is made clear that as and when any document is presented for registration touching upon the property, the protest petition given by the petitioner along with necessary materials shall be taken into consideration by the second respondent and a decision shall be taken. Except giving this clarity, no further orders can be passed in this writ petition.

This writ petition is disposed of in the above terms. No costs. Consequently, connected miscellaneous petition is closed.

03.03.2025

Neutral Citation: Yes/No
Index: Yes/no
Speaking Order/Non-Speaking Order
gm



Writ Petition No.6817 of 2025

To

WEB COPY

- 1.The District Registrar,
Salem District.
- 2.The Sub Registrar,
Sub Registrar Office,
Jalagandapuram,
Salem District.



WEB COPY



Writ Petition No.6817 of 2025

N.ANAND VENKATESH, J

gm

Writ Petition No.6817 of 2025

03.03.2025