



W.P.(MD)No.1676 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:22.01.2025

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P.(MD)No.1676 of 2025

and

W.M.P.(MD)No.1188 of 2025

J. Jeyalakshmi

... Petitioner

/Vs./

1. The Inspector General of Registration,
Santhome,
Chennai - 4.

2. The District Registrar
Trichy District,
Trichy.

3. The Sub Registrar
Sub Registrar Office,
Manapparai,
Trichy District.

4. S.Padmini

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the record in Na.Ka.No. 15/R/2025 dated 06.01.2025 issued by the 3rd respondent quash the same and consequently directing the 3rd respondent not to



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release the sale deed executed by 4th respondent on 04.01.2025 which was registered as Document No. 112/2025 on the file of 3rd respondent in respect of Old Sy.No. 316/9A/2A New Survey No. 826/9 and 827/1 with an extent of 11 cents situated at Kannudaiyanpatty, Manapparai Taluk, Trichy District.

For Petitioner : Mr.M.P.Vasandharam

For Respondents : Mr.S.P.Maharajan

Special Government Pleader for R1 - 3

ORDER

This writ petition has been filed challenging the order passed by the third respondent dated 06.01.2025 and consequently directing the third respondent not to release the sale deed executed by fourth respondent on 04.01.2025, which was registered as Document No. 112/2025 in respect of Old Sy.No. 316/9A/2A New Survey No. 826/9 and 827/1 with an extent of 11 cents situated at Kannudaiyanpatty village, Manapparai Taluk, Trichy District.

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



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3. The property comprised in S.No.316/9A/2A to an extent of 2 cents situated at Kannudaiyanpatty village, Manapparai Taluk, Trichy District, was purchased by the petitioner's father-in-law from and out of joint family nucleus by registered sale deed vide document No. 1019/1994, on 31.05.1994. Further, the fourth respondent purchased a property comprised in S.No.316/9A/2A, to an extent of 2240 sq.ft situated at Kannudaiyanpatty village, Manapparai Taluk, Trichy District and the property comprised in S.No.275/1 to an extent of 1 cent situated at Anavur village, Neyyattinkara Taluk, Tiruvananthapuram District through a registered sale deed vide document No.1001/1993 dated 02.04.1993. The fourth respondent is none other than the second wife of the petitioner's father. The petitioner is the first wife's son and claiming share in the property, which were purchased in the name of his father and the second wife / fourth respondent. She has filed a suit for declaration in O.S.No.281 of 2024 on the file of the District Court, Trichy and it is pending for adjudication.



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4. While being so, the fourth respondent had executed a sale deed in favour of third party and got registered vide document No.112/2025 on 04.01.2025. The petitioner submitted objection not to release the document in favour of the purchaser.

5. On instructions, the learned Special Government Pleader submitted that the document, which was presented for registered, got registered under document No.112/2025 and it has not been registered sofar, since the said property, there is a building and it is pending for field inspection.

6. Mere pendency of the partition suit is not an impediment for the registering authority, to register the document and release the same. Therefore, the objection raised by the petitioner cannot be considered and the writ petition is devoid of merits and the same is liable to be dismissed.



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7. Accordingly, this Writ Petition stands dismissed. No costs.

Consequently, connected Miscellaneous Petition is closed.

22.01.2025

Index : Yes / No
NCC : Yes / No
LS

TO:-

1. The Inspector General of Registration,
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2. The District Registrar
Trichy District,
Trichy.
3. The Sub Registrar
Sub Registrar Office,
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G.K.ILANTHIRAIYAN, J.

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Order made in
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Dated:
22.01.2025