



W.P.(MD)No.2571 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:29.01.2025

CORAM:

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

W.P.(MD)No.2571 of 2025

Saraswathy

... Petitioner

/Vs./

1. The District Registrar
Kanyakumari District,
Nagarcoil,
Kanyakumari District

2. The Sub Registrar
Kottaram Sub Registrar Office,
Kottaram,
Kanyakumari District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to receive the petitioners sale deed dated 21.01.2025 in respect of the property in New S.No.879/4 in Anjugramam Village, Agasteeswaram Taluk, Kanyakumari District, to an extent of 22.5 cents and proceed the same in accordance with law within a time stipulated by this Court.

For Petitioner : Mr.S.Saravana Kumar

For Respondent : Mr.S.P.Maharajan

Special Government Pleader



W.P.(MD)No.2571 of 2025

WEB COPY

ORDER

The Writ Petition has been filed for a direction, directing the second respondent to receive the petitioner's sale deed dated 21.01.2025 in respect of the property in New S.No.879/4 in Anjugramam Village, Agasteeswaram Taluk, Kanyakumari District, to an extent of 22.5 cents.

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

3. It is seen that the petitioner claim title over the property comprised in S.No.879/4, to an extent of 22.5 cents, situated at Anjugramam Village, Agasteeswaram Taluk, Kanyakumari District, through Will executed by her grand father, viz., Daniel @ Thaniyal, S/o.Iyyandi. After execution of the said Will, his grand father died on 19.04.2009. On the strength of the said Will, the petitioner is claiming title over the property and executed a sale deed in favour of the third party and presented for registration before the second respondent on 21.01.2005. However, the petitioner dated 04.12.2008, in his favour. Therefore, sofar the Will has not been acted upon and only after mutation



W.P.(MD)No.2571 of 2025

of the revenue records in favour of the petitioner and on the strength of the Will, the petitioner can execute the sale deed in favour of the third party.

4. Therefore, after mutation of revenue records in his favour in respect of the subject property on the strength of the Will dated 04.12.2008, the petitioner can execute the same in favour of the third party.

5. With the above direction, this Writ Petition stands disposed of.

No costs.

Index : Yes / No

29.01.2025

NCC : Yes / No

LS

TO:-

1. The District Registrar
Kanyakumari District,
Nagarcoil,
Kanyakumari District
2. The Sub Registrar
Kottaram Sub Registrar Office,
Kottaram,
Kanyakumari District.



WEB COPY



W.P.(MD)No.2571 of 2025

G.K.ILANTHIRAIYAN, J.

LS

Order made in
W.P.(MD)No.2571 of 2025

Dated:
29.01.2025