



W.P.(MD)No.2873 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **31.01.2025**

CORAM:

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

W.P.(MD)No.2873 of 2025

A.S.Kumar,
Rep. Through his Power of Attorney,
K.Sivathanu.

... Petitioner

/Vs./

1. The Inspector General of Registration,
No. 110, Santhome High Road,
Chennai - 600028.

2. The District Registrar,
Tirunelveli District.

3. The Sub Registrar,
Nanguneri Registrar Office,
Tirunelveli District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus , directing the respondent No.1 to 4 herein to remove the encumbrance entry in respect of the property comprised in Survey No. 14/2B admeasures to an extent of 1 Acre and 24 cents situated at Marukalkurichi Village, Nanguneri Taluk, Tirunelveli District on the basis of the representation dated 06.01.2025 and its remainder dated 24.01.2025 within the stipulated time period in accordance with law.



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For Petitioner : Mr.C.Senthil Murugan
For Respondents : Mr.S.P.Maharajan,
Spl. Government Pleader

ORDER

This writ petition has been filed seeking for a direction to the respondents to consider the representation submitted by the petitioner to remove the encumbrance in respect of the property comprised in Survey No. 14/2B admeasures to an extent of 1 Acre and 24 cents situated at Marukalkurichi Village, Nanguneri Taluk, Tirunelveli District.

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

3. The subject property belonged to one Rajgopal Pillar by the registered sale deed dated 11.02.1993 vide document No.101/93. Subsequently, he sold out the subject property in favour of the petitioner and he was also issued with patta. In order to purchase the remaining property, there is a sale agreement dated 07.11.2007. Subsequently, the sale agreement is not acted upon. It is reflected in the encumbrance of



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the subject property. Therefore, the petitioner submitted a representation to remove the entry of the agreement for sale in the subject property.

4. It is repeatedly held that pendency of the agreement is not an impediment or obstacle to deal with the subject property. The registering authority can very well register any of the deed of conveyance in respect of the subject property. With such observations, this writ petition is disposed of. There shall be no order as to costs.

31.01.2025

Index : Yes / No
NCC : Yes / No
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TO:-

1. The Inspector General of Registration,
No. 110, Santhome High Road,
Chennai - 600028.
2. The District Registrar,
Tirunelveli District.
3. The Sub Registrar,
Nanguneri Registrar Office,
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G.K.ILANTHIRAIYAN, J.

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