

W.P.(MD).No.10404 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2025

CORAM

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD).No.10404 of 2025

Rajalakshmi

.. Petitioner

Vs.

1.The Sub Registrar,
Panagudi,
Tirunelveli District.

2.Sankaralingam

.. Respondents

*(R-2 is impleaded vide Court order dated
17.04.2025 made in W.M.P.(MD).No.8208
of 2025 in W.P.(MD).No.10404 of 2025)*

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondent to release the sale deeds registered vide Doc.Nos.804/2025 and 809/2025 on 27.02.2025 forthwith.

For Petitioner : Ms.V.Moushica

For R-1 : Mr.R.Suresh Kumar
Additional Government Pleader

For R-2 : Mr.R.Surianarayanan



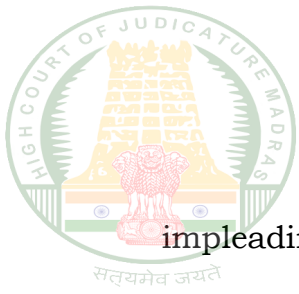
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ORDER

WEB COPY This Writ Petition is filed for Mandamus to direct the first respondent to release the sale deeds registered vide Doc.Nos.804/2025 and 809/2025 on 27.02.2025 forthwith.

2. The petitioner states that the property situated in Survey Nos.2036/10 and 2072/38 of Panagudi Village, Radhapuram Taluk, Tirunelveli District belonged to the joint family consisting of the petitioner's father, Rathnavelayutham and his younger brother, Sankaralingam/second respondent. The petitioner states that her father passed away on 27.08.1995 and she succeeded to his estate. She alienated the property situated in the aforesaid survey numbers in favour of two women, namely, Sumathi and Malathi on 27.02.2025. The property alienated to Mrs.Sumathi is in Survey No.2036/10 and that to Mrs.Malathi is in Survey No.2072/38. The petitioner pleads that the documents have been registered in Document Nos.804/2025 and 809/2025, but have not yet been released. Hence, the present Writ Petition.

3. When the matter came up for admission, Mr.R.Suresh Kumar, learned Additional Government Pleader took notice on behalf of the first respondent and sought time to get instructions. In the meantime, Mr.R.Surianarayanan moved an impleading application on behalf of the junior paternal uncle of the petitioner, Mr.Sankaralingam. The said



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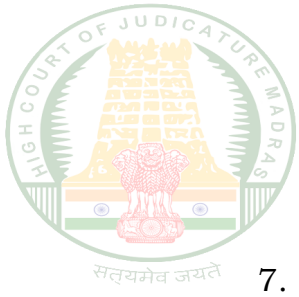
impleading petition was ordered.

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4. I heard Ms.V.Moushica for the petitioner, Mr.R.Suresh Kumar, learned Additional Government Pleader for the first respondent and Mr.R.Surianarayanan for the second respondent.

5. Inter se rights between the petitioner and the second respondent cannot be decided by the first respondent. Civil Courts are available in Tirunelveli District and in case, the second respondent feels he has a right over the property, his remedy is only to approach the said Court. The first respondent cannot take cognizance of the alleged right of the second respondent and refuse to release the documents. Apart from the objection of the second respondent, Mr.R.Suresh Kumar states that the first respondent did not release the documents as the field inspection for valuation of the property is yet to be completed.

6. Taking the overall circumstances into consideration, there shall be a direction to the first respondent to inspect the property situated in Survey Nos.2036/10 and 2072/38 of Panagudi Village, Radhapuram Taluk, Tirunelveli District within a period of one (1) week from today. If the properties have been properly valued, he shall release the documents forthwith. He shall not retain the documents on the basis of the objections that have been given by the second respondent.



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to costs.

7. Accordingly, the Writ Petition is ordered. There shall be no order as

8. Post the matter 'for reporting compliance' on 29.04.2025.

17.04.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm

To
The Sub Registrar,
Panagudi,
Tirunelveli District.



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V.LAKSHMINARAYANAN,J.

Lm

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