



W.P(MD)No.14476 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.06.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.14476 of 2025

Hemalatha

.. Petitioner

Vs.

The Sub Registrar,
Sub-Registrar Officer,
Kadayanallur,
Tenkasi District.

.. Respondent

PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent to register the sale deed referred in respondents TP/217634898/2025 dated 25.04.2025 i.e. to register the Sale Deed dated 10.02.2025 executed by the petitioner in favour of Murugan, in respect of the House site measuring 2727.25 sq.ft. and House thereon bearing Door No.122 with Electricity and water supply connections situated in Goplakrishnasamy Koil Street in Natham Survey No.308/3 in Krishanapuram Village in Kadayanallur Municipality, Tenkasi District, in favour of Murugan considering the order dated 03.07.2009 passed by this Honble Court in C.R.P.(NPD)(MD).No.230 of 2008 setting aside the “Pre-Order of Attachment



W.P(MD)No.14476 of 2025

order dated 05.02.2008 passed by the 1st Additional Sub Court, Madurai in I.A.No.828 of 2006 in O.S.No.565/2006” and the judgment dated 02.08.2010 passed by the 1st Additional Sub Court, Madurai in O.S.No.565/2006” within a time limit to be fixed by this Court.

For Petitioner : Mr.B.Karunanithi
For Respondent : Mr.S.Saji Bino
Special Government Pleader

ORDER

This Writ Petition has been filed for the issuance of a Writ of Mandamus directing the the respondent to register the sale deed referred in respondents TP/217634898/2025 dated 25.04.2025 i.e. to register the Sale Deed dated 10.02.2025 executed by the petitioner in favour of Murugan, in respect of the House site measuring 2727.25 sq.ft. and House thereon bearing Door No.122 with Electricity and water supply connections situated in Goplakrishnasamy Koil Street in Natham Survey No.308/3 in Krishanapuram Village in Kadayanallur Municipality, Tenkasi District, in favour of Murugan considering the order dated 03.07.2009 passed by this Honble Court in C.R.P.(NPD)(MD).No.230 of 2008 setting aside the “Pr-Order of Attachment order dated 05.02.2008 passed by the 1st Additional Sub Court, Madurai in I.A.No.828 of 2006 in O.S.No.565/2006” and the judgment dated 02.08.2010 passed by the 1st Additional Sub Court, Madurai in



W.P(MD)No.14476 of 2025

O.S.No.565/2006” within a time limit to be fixed by this Court.

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2. The petitioner was one of the partner in the partnership firm namely 'Anchor Systems'. A suit was filed against the petitioner showing the petitioner as the second defendant and the petitioner's property alone was attached under 'Attachment Before Judgement' by order dated 05.02.2008. However, the suit has ended against the petitioner. The suit was decreed in favour of the plaintiff against which the petitioner preferred an appeal and the same was dismissed confirming the suit decree and judgment. The second appeal which was filed against the appeal was also dismissed confirming the decree and judgement. The petitioner has challenged the 'Attachment Before Judgement' order dated 05.02.2008 in CRP(NPD)(MD).No.230 of 2008 and the same was set aside by this Court vide order dated 03.07.2009.

3. Since there is no 'Attachment Before Judgement' in the suit, the petitioner is seeking to register the sale deed now. The plaintiff in the suit has not filed any execution petition and the whereabouts of the plaintiff was also not known. Moreover, it is seen that the limitation time has also crossed. Therefore, this Court direct the respondent to register the sale deed as a contra entry and release the document. The said exercises shall be completed within a period of four weeks from the date of receipt of a copy of this order.



W.P(MD)No.14476 of 2025

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4. With the above direction, this Writ Petition is disposed of. No

Costs. There shall be no order as to costs.

27.06.2025

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

PJL

To
The Sub Registrar,
Sub-Registrar Officer,
Kadayanallur,
Tenkasi District.



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W.P(MD)No.14476 of 2025

S.SRIMATHY, J.

PJL

**ORDER MADE IN
W.P(MD)No.14476 of 2025**

DATED : 27.06.2025