



W.P(MD)No.14476 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.14476 of 2024

and

WMP(MD)No.12719 of 2024

N.Ramadoss

.. Petitioner

Vs.

1. Deputy Inspector General Of Registration,
Office of the Deputy Inspector General of Registration,
Madurai.

2. The District Registrar,
Office of the District Registrar
Madurai (North),
Madurai

3. Navaneethal

.. Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Ceritorarified Mandamus, to call for the records pertaining to the impugned order passed by the 1st respondent vide proceeding in Na.Ka.No.1347/AA2/2024 dated 17.05.2024 and quash the same and consequently, to direct the respondents not to take any coercive steps based on the order of 2nd respondent vide proceedings in Na.Ka.No.1501/AA2/2022 dated 04.11.2022.

For Petitioner : Mr.M.Shakulhameed

For Respondents : Mr.S.Saji Bino

Special Government Pleader for R1 & R2

: Mr.V.Baskaran for R3



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ORDER

The present writ petition is filed for issuance of a Writ of Certiorarified Mandamus, to quash the impugned order dated 17.05.2024 and consequently, to direct the respondents not to take any coercive steps based on the impugned order of 2nd respondent dated 04.11.2022.

2.The brief facts are that originally, the property in Survey No.7/1 to an extent of 3 acre 18 cents and Survey No.7/3 to an extent of 1 acre 4 cents in Ramankulam belongs to one Srinivasan. The said Srinivasan had sold the property to K.K.Radhakrishnan vide Doc.No.2548 of 1985. After the demise of K.K.Radhakrishnan, the property devolved to his legal heirs namely, K.R.Balan, K.R.Janarthanan, K.R.Manoharan and K.R.Ganesan. The said four legal heirs had executed power of attorney in Doc.No.613/1995 to an extent of 3 acres 14 cents in Survey No.7/1 (1 acre 3 cents) and Survey No.7/3 to one S.Baskaran. The said power was executed on behalf of the minor's share also. The said power agent vide Doc.No.873/1999 sold the 3 acres 14 cents in Survey No.7/1 to one Pandiselvaraj. The said Pandiselvaraj had executed the power of attorney in Doc.No.88/1999 to the land in Survey No.7/1 to an extent of 3 acres 14 cents to one Sivasankaran. The said Sivasankaran had sold to various persons by dividing the land into housing plots through various sale deeds from 1999 to 2020. The petitioner is one of the purchasers who had purchased 51 cents thereafter, in order



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to avail loan had mortgaged the property to Equitas.

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3.In such circumstances, through the impugned order, the respondents have held that the sale deeds are not valid. The reason cited is that the said land also belongs to the wife of K.K.Radhakrishnan and other two female legal heirs, ie., his daughters namely P.M.Banumathi and M.S.Vasanthi. The wife of K.K.Radhakrishnan and two daughters have not signed and given consent to such power of attorney.

4.The contention of the petitioner is that he is a bona fide purchaser and in order to protect his rights, he has also filed O.S.No.444 of 2023 on the file of 4th Additional District and Sessions Judge, Madurai and the same is pending. Therefore, the petitioner is seeking to quash the impugned order.

5.Heard the learned Counsels appearing on both sides and perused the records.

6.This Court perused the suit in O.S.No.444 of 2023 wherein the prayer in the suit is for declaration injunction against the 3rd respondent that too for an extent of 51 cents. From the above narrated facts, it is evident that the female heirs of K.K.Radhakrishnan is claiming right over their share of the



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property. The other male heirs have sold their share of the property including the share of the female legal heirs. Therefore, the entire sale cannot be considered as forged and fraudulent document. Moreover, a subsequent sale is only for Survey No.7/1 to an extent of 3 acres 14 cents. As far as Survey No.7/3, there is no further sale at all. For any subsequent purchaser who had purchased undivided share before partition of the property, the appropriate remedy would be by filing suit for partition. Therefore, the impugned order is set aside to the extent of setting aside of the sale deed alone.

7. But in the suit, it is seen that the petitioner had arrayed one Navaneethal alone as defendant. The petitioner ought to array the other interested parties also.

8. Therefore, the impugned order is set aside to the extent stated supra. The petitioner is at liberty to implead all the interested parties and contest the suit. All the grounds available for the parties shall be raised before the Civil Court. The Civil Court shall consider the claim of the petitioner uninfluenced by the impugned orders and any observations made in this order. The parties shall prove their case before the Civil Court based on the documents and evidence, independently.



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9. With the above said observations, the writ petition is disposed of.

No costs. Consequently, connected miscellaneous petition is closed.

08.08.2025

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

Tmg

To

1. Deputy Inspector General Of Registration,
Office of the Deputy Inspector General of Registration,
Madurai.
2. The District Registrar,
Office of the District Registrar
Madurai (North),
Madurai



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S.SRIMATHY, J.

Tmg

**ORDER MADE IN
W.P(MD)No.14476 of 2024**

DATED : 08.08.2025