



W.P(MD)No.24699 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 11.09.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.24699 of 2025

and

W.M.P(MD)No.19395 of 2025

Gomathi

... Petitioner

Vs.

The Sub Registrar,
Keelur,
Thoothukudi District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned refusal check slip in refusal No.RFL/KEELUR/82/2025 dated 31.07.2025 issued by the respondent and quash the same and consequently direct the respondent to register the sale deed presented by the petitioner dated 30.07.2025 within a time frame stipulated by this Court.

For Petitioner : Mr.J.Joseph Zinoson



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**For Respondent : Mr.M.Senthil Ayyanar
Government Advocate**

ORDER

Heard both sides.

2.The petition mentioned property belonged to Henry Vethamani. He is none other than the father-in-law of the writ petitioner. The petitioner's husband Jeganpandian passed away on 11.03.2017. Through the wedlock, the petitioner gave birth to a male child, Rakshith Hendry, on 10.07.2013. Since the petitioner's father-in-law wanted to ensure the financial security of his grandson, he executed a Will dated 15.05.2017. It was also duly registered. The petitioner's father-in-law passed away on 05.05.2021. Subsequently, the petitioner moved to Pollachi with her child and stayed with her aged parents. The petitioner is said to be an uneducated woman. She is in acute need of funds. The property is located in Tuticorin. Other members of the family have come forward to alienate the property so that funds can be raised for the benefit of the minor child and the writ petitioner. A purchaser was also identified. A



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sale deed was executed and presented for registration. The respondent citing the fact that the property belongs to a minor child declined to register the document. Challenging the refusal check slip, this writ petition came to be filed.

3.The registering authority took the correct stand. When a property belongs to a minor, it could be alienated only with the leave of the jurisdictional civil Court. The writ petitioner cannot sign on behalf of the minor child at this stage.

4.However, the facts obtaining on hand cannot be lost sight of. The petitioner is not having any job. She is depending on her parents. The child is now aged about 12 years. The petitioner is in desperate need of funds. Therefore, these aspects have to be necessarily taken note of. The petitioner is given liberty to move the jurisdictional civil Court for getting permission to sell the property. The jurisdictional civil Court is directed to number the petition immediately, provided the papers are otherwise in order. The Original Petition itself to be filed by the petitioner shall be disposed of expeditiously, in any event, within a



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period of eight weeks from the date of presentation. I am certain that the learned trial Judge will take into account all the relevant facts and if he is satisfied with the case put forth by the petitioner, leave will be granted. The jurisdictional civil Court may also impose appropriate conditions, such as regarding depositing the sale consideration in a nationalised bank account in the name of the minor child. The petitioner may be permitted to withdraw the interest once every three months. The Court below shall see to it that the best sale price is obtained for the property. Once such leave is obtained from the civil Court, the document can be re-presented and the respondent shall register and release it subject to the fulfilment of the other usual formalities.

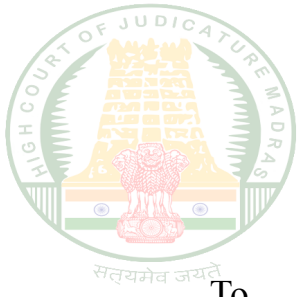
5.This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

11.09.2025

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

Note: Issue order copy on 12.09.2025.

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To
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The Sub Registrar,
Keelur,
Thoothukudi District.



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G.R.SWAMINATHAN, J.

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