



W.P(MD)No.27311 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 11.11.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.27311 of 2025

K.Sureshkumar

... Petitioner

Vs.

1.The Sub Registrar,
Kallikudi Sub Registration District,
Madurai District.

2.Minor Sabari Vasanthan,
Represented by his Guardian,
R.Murugesan.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to register the sale deed bearing pending document No.44 of 2025, dated 08.08.2025 on the file of the 1st respondent.

For Petitioner : Mr.P.Muthuvijayapandian

For Respondents : Mr.D.Gandhiraj,
Spl. Government Pleader for R1.



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ORDER

Heard both sides.

2.Sale deed dated 08.08.2025 was executed in favour of the writ petitioner by Thiru.R.Murugesan acting in his capacity as guardian of Minor.Sabari Vasanthan conveying 6.13 acres of land. The Sub Registrar did not register the document. Seeking direction to do so, this writ petition has been filed.

3.It is seen that Sabari Vasanthan was born to Ganesan and Maheswari on 02.01.2012. Ganesan died on 12.11.2020. Maheswari passed away on 11.02.2024. Sabari Vasanthan is now a minor child aged about 13 years. Murugesan is none other than his paternal uncle. He filed G.W.O.P.No.640 of 2025 on the file of the Family Court, Madurai and vide order dated 01.07.2025, he was appointed as the guardian of Sabari Vasanthan. This declaration of guardianship is only for the minor's person and not for his property.



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4.It appears that Murugesan is only a tailor by profession and he does not have sufficient means to fund the educational and other needs of Sabari Vasanthan. Sabari Vasanthan is said to have more than 55 acres of land in his name. Out of the larger extent, only a smaller chunk of 6.13 acres is sought to be sold. The Sub Registrar rightly declined to register the document. This is because for selling a minor's property, permission from the court is required. Taking into account the overall facts and circumstances, permission is granted to Thiru.Murugesan to conclude the petition mentioned transaction.

5.He is however restrained from selling the remaining property. The remaining property shall not be dealt with for a period of eight more years. That is till Sabari Vasanthan attains the age of 21 years, the remaining property shall not be sold or encumbered in any manner. Permission is granted for selling 6.13 acres of land only subject to the aforesaid condition. Thiru.K.Suresh Kumar, the buyer is present in person. He informs the Court that the sale consideration of Rs.30,65,720/- has already been deposited in the minor's bank account. The bank details are as follows:-



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“Mr.G.Sabari Vasanthan, R.Murugesan, Account No:1800155000058675, Karur Vysya Bank, Villapuram Branch, IFSC Code: KVBL0001800, MICR Code: 625053028”

6.The said amount shall be transferred to the Indian Bank, High Court Branch, Madurai. The amount shall be invested in an interest bearing account for a period of six years (as fixed deposit). Murugesan is permitted to withdraw the accrued interest once in three months.

7.Suresh Kumar also states that as a goodwill gesture, he will deposit a further sum of Rs.18,40,000/- in another account in the name of the minor child to be maintained by the Indian Bank, High Court Branch, Madurai. The same shall also be invested in an interest bearing account at Indian Bank, High Court Branch, Madurai, for a period of six years. Murugesan is permitted to withdraw Rs.30,000/- every month from this account. Out of this, he can appropriate a sum of Rs.15,000/- for himself. It means that for this sum, Murugesan need not submit any account statement. Such an extraordinary permission is granted because it is he who is taking care of the child. If a caretaker is appointed, a far greater



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sum would have to be paid towards monthly salary. The guardian has to ensure that the minor gets the best of education and is maintained very well. His nutritional needs will be fully taken care. The Registrar, Administration can oversee this arrangement by deputing the para legal volunteers to visit the child and interact with him once in three months. Murugesan has thus been given liberty to withdraw from both the accounts separately. The figure of Rs.30,000/- is only in respect of the second account. He is also given liberty to file any miscellaneous petition in future for any modification of this arrangement.

8.Upon the parties ie., Suresh Kumar and Murugesan presenting the original bank receipt before the registering authority for perusal, the document in question can be registered and released subject to fulfilment of other usual formalities. Thiru.Murugesan shall submit statement of accounts to the Registrar, Administration every six months.

9.The writ petition is allowed. No costs.

11.11.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias/SKM

Issue order copy on 18.11.2025.



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To:
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The Sub Registrar,
Kallikudi Sub Registration District,
Madurai District.



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G.R.SWAMINATHAN, J.

ias/SKM

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