



W.P(MD)No.32724 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.11.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

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1.S.Rajapandi

2.S.Palpandi

3.S.Pandiammal

4.S.Palaniammal

5.S.Nagajothi

6.S.Tamilseveli

... Petitioners

Vs.

1.The Sub Registrar,
Kallikudi,
Madurai.

2.Kalaimagal Sabha,
Through its Special Officer,
17, North Usman Road,
T Nagar, Chennai 600 017.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 1st respondent to remove 2nd remark found in the Doc No.890/1991 registered on the file of the 1st respondent and to remove S.No.45/3A from the encumbrance certificate



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dated 23.10.2025 on the file of the 1st respondent based on the decree dated 13.04.2015 passed in OS No.453 of 2012 on the file of the District Munsif Court, Thirumangalam and on the strength of the No Objection Certificate issued by the 2nd respondent dated 03.11.2023.

For Petitioners : Mr.V.Shathurthi Raja

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader
for R1

: Mr.N.Dilipkumar
for R2

ORDER

Heard both sides.

2. The writ petitioners have claimed title over the petition mentioned property. They trace their title to the documents dated 01.02.1978 and 30.07.1982 (Document Nos.52/1978 & 929/1982). The property was purchased by the petitioner's mother Guruvammal. Patta was in her name. Guruvammal passed away and thereafter, it was devolved on the writ petitioners herein and respective shares were also set out in the partition deed dated 01.12.2023. That was also registered as Document No.4555 of 2023. While so, the petitioners are unable to deal with the property on account of the entry in the name of the second respondent herein. In fact, the petitioner's mother Guruvammal filed



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O.S.No.453 of 2012 on the file of the District Munsif Court, Thriumangalam seeking the relief of declaration and permanent injunction. The suit was decreed exparte on 13.04.2015. Till date, the decree is holding good. Since the decree is holding good, the registering officer cannot raise any objection when any document is presented by the writ petitioners herein on the ground that Kalaimagal Sabha is having a claim over the property. The direction given to the registering officer in this writ petition should more than protect the rights of the writ petitioners herein.

3. The Writ Petition is disposed of accordingly. No costs.

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Index : Yes / No
Internet : Yes/ No
rmi

To

The Sub Registrar,
Kallikudi,
Madurai.



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