



W.P.(MD) No.35197 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.12.2025

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.35197 of 2025
and W.M.P(MD).No.27910 of 2025

Janaki

... Petitioner

Vs

1.The Sub Registrar,
Thiruparangundram,
Madurai District.

2.Rajalakshmi
3.R.Prabhu
4.K.Prabakaran

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the first respondent from registering a pending document in P67/2015 dated 17.11.2025 on his file, in the light of the judgment dated 08.11.2022 made in O.S.No.443 of 2009 on the file of the District Munsif, Thirumangalam.

For Petitioner : Mr.R.Suriya Narayanan

For R1 : Mr.K.S.Selvaganesan
Additional Government Pleader



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ORDER

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This writ petition has been filed to forbear the first respondent from registering a pending document in P67/2025 dated 17.11.2025 on his file in the light of the judgment dated 08.11.2022 made in O.S.No. 443 of 2009 on the file of the learned District Munsif, Thirumangalam.

2. By consent, this writ petition is taken up for final disposal at the admission stage itself. Since no adverse order is going to be passed against the private respondents, notice to them is dispensed with.

3. The learned counsel appearing for the petitioner submitted that the petitioner is the absolute owner of the subject property measuring to an extent of 12 cents in R.S.No.162/8A2 in Thanakkankulam Village, Madurai South Taluk, Madurai District, vide sale deed dated 06.03.2010 in Doc.No.1938 of 2010. The second respondent claiming right over the said property filed a suit in O.S.No.443 of 2009 before the learned District Munsif, Thirumangalam. The said suit was ended in favour of the petitioner on 08.11.2022, as the second respondent has no right over the subject property. Aggrieved over the same, the second respondent filed an appeal in A.S.No.03 of 2023 before the learned Subordinate Judge,



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Thirumangalam and the same is pending. Meanwhile, the second respondent executed a gift settlement deed dated 30.08.2023 in favour of the her son, third respondent herein. Subsequently, the petitioner has made an objection petition to the first respondent on 19.02.2025 by enclosing all necessary/supporting documents. When that being so, the second respondent as a power of attorney of the third respondent presented the document dated 17.11.2025 executing the sale deed in favour of the fourth respondent in respect of the subject property for registration before the first respondent. Based on the objection raised by the petitioner, the first respondent is conducting enquiry in this regard. However, he assigned number to the said document as P67/2025, which, according to the petitioner, is illegal. The first respondent ought not to assign a number to the document in question. Hence, the petitioner has approached this Court seeking aforesaid prayer.

4. Mr.K.S.Selvaganesan, learned learned Additional Government Pleader, who takes notice on behalf of the first respondent, submitted that in the present case, protest petition was received and therefore, the document in question is kept pending for registration. However, a pending number has been assigned. After hearing the parties, if it is



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found that the objection is a genuine one, the pending document will not be registered. When an enquiry is already in progress, granting the aforesaid prayer would unfairly prevent the Registrar from conducting an enquiry whether the document in question is required to be registered or not.

5. Heard the learned counsel on either side.

6. In the present case, the petitioner has filed a protest petition against the registration of the document dated 17.11.2025 presented by the second respondent. Based upon the same, the Sub-Registrar/ first respondent issued notice to the parties and now, he is conducting an enquiry and the same is in process. Under these circumstances, the petitioner approached this Court citing the reason that pending document number ought not to have been assigned by the first respondent, when the suit in O.S.No.443 of 2009 was decreed in favour of the petitioner. However, the learned Additional Government Pleader appearing for the first respondent would submit that the decree is not absolute decree in favour of the petitioner declaring the title over the subject property. He further submitted that while conducting enquiry, all these aspects will be taken into consideration and appropriate order will be passed.



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7. As rightly contended by the learned Additional Government Pleader, the first respondent is supposed to conduct enquiry based upon the protest petition and they cannot keep the document without assigning any number. Therefore, I do not find any fault on the part of the first respondent in assigning the pending number to the document in question. Hence, the relief sought for by the petitioner cannot be granted. Accordingly, this Writ Petition is disposed of directing the first respondent to conduct enquiry upon the document in question and while conducting an enquiry, the first respondent shall take into consideration of the judgment and decree passed in O.S.No.443 of 2009 on the file of the learned District Munsif, Thirumangalam, as well as the objections raised by the petitioner. No costs. Consequently, connected Miscellaneous Petition is closed.

09.12.2025

Index : Yes/No
Internet: Yes/No
Neutral Citation: Yes/No
Rmk

To

The Sub Registrar,
Thiruparangundram,
Madurai District.



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KRISHNAN RAMASAMY, J.

Rmk

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