



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-06-2026

CORAM

WEB COPY

THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 17007 of 2026

1. Aravindan Theodore
S/o. Late J.G. Manuel,
Flat No.A-2, Plot No.11,
VGN Nagar,1st Main Road,
Ayyapanthangal,
Chennai-600 056
2. Partheeban VC Theodore
S/o. Aravindan Theodore
Flat No.A-2, Plot No.11,
VGN Nagar,1st Main Road,
Ayyapanthangal,
Chennai-600 056

..Petitioner(s)

Vs

1. The State Of Tamil Nadu
Rep. by the Secretary,
Commercial Taxes and Registration
Department, Fort St. George,
Chennai-600 007
2. The Sub Registrar
South Joint-1, saidapet, Chennai.

..Respondent(s)

Prayer:

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the Respondents to permit the petitioners to sell the schedule property in residential flat bearing No.A2 in ground floor, having plinth area of 1266 Sq.ft. including common areas and the building known as Welbit Together with 903.64 sq.ft. undivided Share of land



out of total extent of 2000 sq.ft. bearing plot nO.XI in the approved layout known as V.G.N.Nagar (Approved under PPD/LO.No.39/85) comprised in Survey Nos.64/67 situated at Iyyapanthangal Village Previously, Sriperumbudur Taluk, Kancheepuram District now Ponnammallee Taluk, Thiruvallur including the share of Dr. Deepa Theodore by executing the Sale Deed in respect of the entire schedule property by considering Medical condition as per Medical records, dated 12.03.2026 of the Said Dr. Deepa Theodore and thereby to direct the 2nd Respondent herein upon such presentation to admit the sale deed and cause registration of the same and pass

For Petitioner(s): Mr.R.Radha Pandian

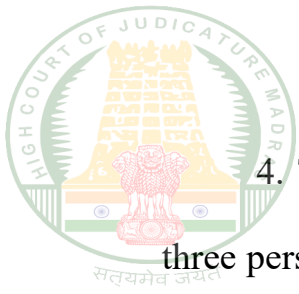
For Respondent(s): Mr.Roshan Atiq M., Govt's counsel for R1 & 2

ORDER

This writ petition has been filed to direct the respondents to permit the petitioners to sell the subject property by executing the Sale Deed in respect of the entire schedule property and to direct the 2nd respondent to admit the said sale deed and cause registration of the same.

2. Mr.Roshan Atiq M., learned Government's counsel, takes notice on behalf of the respondents.

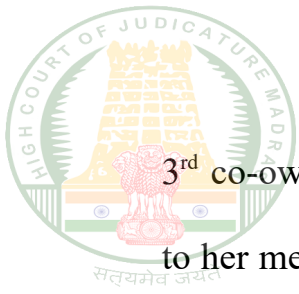
3. By consent of the parties, the main petition is taken up for disposal in the stage of admission itself.



4. The learned counsel for the petitioner would submit that in this case, three persons, viz, husband, wife and their son, are having right over the subject property. The husband and son are arrayed as 1st and 2nd petitioners herein, whereas the 3rd co-owner is the wife of the 1st petitioner. According to the petitioners, now the 3rd co-owner/wife has a history of fall with subdural hematoma on a background of progressive dementia in the year 2018 and she had a hypoglycemic encephalopathy episode in the year 2022 and also she has since been conscious and alert, however, she does not obey commands remains bedridden and has no mobility and her comprehension and motor functions are limited. At present, she is unable to verbalize or obey commands or perform her daily activities and she is under 24/7 nursing care and is on ryles tube feeds and is bedbound. Hence, she is not in a position to appear before the sub registrar to execute the sale deed pertaining to the subject property. Therefore, the petitioner had filed this petition, requesting to permit them to execute the sale deed on behalf of the 3rd co-owner/wife of the 1st petitioner.

5. Further, he would submit that now, the petitioners have to execute the sale deed, pertaining to the subject property, only to meet out the medical expenses of the co-owner/wife of the 1st petitioner. Hence, this petition.

6. In reply, the learned Government's counsel appearing for the respondents would submit that even if there is any difficulties, on the part of the

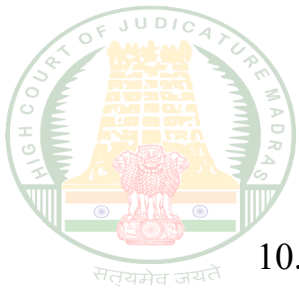


3rd co-owner/wife of the 1st petitioner, in appearing before the respondents due to her medical condition, the officials will make necessary arrangements to visit her and obtain consent for executing the sale deed, pertaining to the subject property. He requests to this Court to pass appropriate orders.

7. Heard the learned counsel for the petitioner and the respondents and also perused the entire materials available on record.

8. In the case on hand, three persons, who are none other than husband/1st petitioner, son/2nd petitioner & 3rd co-owner/wife of 1st petitioner, are entitled for the subject property and hence, the sale deed, pertaining to the said property, has to be executed by all those three persons. However, now, the wife of 1st petitioner is bedridden and she is not in a position to appear before the respondents for executing the sale deed.

9. As rightly contended by the 2nd respondent, the sale deed pertaining to any subject property has to be executed by all the co-owners, who are entitled for the said property. When such being the case, even if there is any difficulties on the part of the 3rd co-owner/wife of the 1st petitioner in appearing before the respondents due to her medical condition, the respondents can very well make necessary arrangements to visit her and obtain consent for executing the sale deed, pertaining to the subject property.



10. In view of the above, the 2nd respondent is directed to visit the 3rd co-owner/wife of the 1st petitioner and ascertain the status of her medical conditions. If she is not in a position to sign the sale deed, the respondent officials shall permit the petitioners to execute the sale deed on behalf of the 3rd co-owner/wife of the 1st petitioner.

11. With the above directions, this writ petition is disposed of. No cost.

03-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

nsa

To

1. The State Of Tamil Nadu
Rep. by the Secretary,
Commercial Taxes and Registration
Department,
Fort St. George,
Chennai-600 007
2. The Sub Registrar
South Joint-1,
saidapet, Chennai.



WEB COPY

WP No. 17007 of 2



KRISHNAN RAMASAMY J.

nsa

WP No. 17007 of 2026

03-06-2026