



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2026

CORAM

THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

W.P No. 19923 of 2022

and

WMP.No.19227 of 2022

1. N.Masilamani
S/o.Natesa Mudaliar, 65-B, Maniyaakaran
Veedhi, Attaiyampatti Village and Post,
Salem-637 501.
2. M.Gunasekharan
S/o.N.Masilamani, 65-B, Maniyaakaran
Veedhi, Attaiyampatti Village and Post,
Salem-637 501.
3. M.Kanagavel
S/o.N.Masilamani, 65-B, Maniyaakaran
Veedhi, Attaiyampatti Village and Post,
Salem-637 501.
4. Niranjana Devi
D/o.N.Masilamani, W/o.Karthikeyan, 65-B,
Maniyaakaran Veedhi, Attaiyampatti Village
and Post, Salem-637 501.

..Petitioners

Vs

1. The District Registrar
Namakkal,
Namakkal District.
2. The Sub Registrar
Mallasamudram,
Namakkal District.

..Respondents



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Writ Petition filed under Article 226 of Constitution of India seeking for issuance of Writ of Mandamus directing the 2nd Respondent to accept for registration and to register the Sale Deed of the Petitioners 2 to 4 in favour of the 1st Petitioner with respect to the properties of M.Maragathavalli since deceased, being property acquired by her in Regd. Sale Deed dated 09.11.1989- Document No. 1815/1989-SRO- Vadakancherry and under Regd. Exchange Deed dated 03.11.1999-Document No. 1961/1999-SRO-Mallasamudram.

For Petitioners: Ms.R.S.Lakshmi Priya
for T.M.Hariharan

For Respondents: Mr.R.Harish
Government Advocate

ORDER

This Writ Petition has been filed seeking a direction to the 2nd respondent to accept for registration and to register the Sale Deed of the Petitioners 2 to 4 in favour of the 1st Petitioner with respect to the properties of M.Maragathavalli since deceased, being property acquired by her in Regd. Sale Deed dated 09.11.1989-Document No. 1815/1989-SRO- Vadakancherry and under Regd. Exchange Deed dated 03.11.1999-Document No. 1961/1999-SRO-Mallasamudram.



2. The learned counsel appearing for the petitioners would submit that the petitioners are the co-owners of the subject property and the petitioners 2 to 4 intend to convey their 3/4th share in favour of the 1st petitioner and therefore they executed the draft Sale Deed in favour of the 1st petitioner and presented the same before the 2nd respondent. But the 2nd respondent has rejected the same stating that the sale cannot be registered as the portion of the property in Kerala had been purchased in violation of provisions of Section 19B of the Indian Stamp Act as amended by the Tamil Nadu Act 43 of 1992. In this regard, the petitioners made a representation to the 2nd respondent on 13.06.2022 seeking to accept the Sale Deed executed by the petitioners 2 to 3 in favour of the 1st petitioner and register the same. As the same did not evoke any response, the petitioners have filed this writ petition seeking for the aforesaid relief.

3. The learned Government Advocate appearing for the 2nd respondent would submit that document is yet to be presented and if any document is presented, appropriate orders will be passed after issuing notice to the petitioners.

4. Heard both sides. Perused the records.



5. In the case on hand, it appears that orally the 2nd respondent might have rejected the request of the petitioners for registering the Sale Deed presented by them, without passing any orders. Hence the petitioners 2 and 3 are directed to present the Sale Deed said to have executed by them in favour of the 1st petitioner and on such presentation being made, the 2nd respondent is directed to conduct enquiry and take decision with regard to the registration of the aforesaid document. It is made clear that if any information is required from the petitioners, the 2nd respondent shall issue notice to them and thereafter take decision on merits and in accordance with law, without any delay.

6. This Writ Petition is disposed of accordingly. No costs. Consequently, WMP.No.19227 of 2022 filed to permit the petitioners to present and prosecute a single Writ Petition is ordered subject to payment of separate Court fee.

09-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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Note: Registry is directed to issue order copy after ensuring the payment of Court fee as ordered by this Court.



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To

1. The District Registrar
Namakkal, Namakkal District.
2. The Sub Registrar
Mallasamudram, Namakkal District.



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KRISHNAN RAMASAMY, J.

arr

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