



W.P.(MD) No.5234 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.02.2026

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.5234 of 2026

K.Duraipandian

... Petitioner

Vs

1. The Inspector General of Registration,
Office of the Inspector General of Registration,
No.120, Santhome High Road,
Chennai - 600 028.
 2. The Director,
Directorate of Vigilance and Anti - Corruption (DVAC),
No.293, M.K.N. Road, Alandur,
Chennai 600 016.
 3. The District Registrar (Administration),
Office of the Registration Department,
Virudhunagar,
Virudhunagar District.
 4. The Sub Registrar,
Sethur Sub Registrar Office,
Virudhunagar District.
 5. A.Clara Leema Rose
- ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondent Nos.1 to 3 to conduct an enquiry in connection with property comprised in Survey



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No. 858/1, 856/2, 778/2C, 794/2, 795/1B, 778/2C, 782/1A, 782/2A, 788/2B, 789/2, 790/19, 798/8 and 778/2A in connection with Patta No. 4425, 2654 situated at Puthur Village, Rajapalayam Taluk, Virudhunagar District, by taking appropriate action against the 5th Respondent in a manner known to law, based on the Petitioner's representation dated 15.12.2025 within the time frame stipulate by this Court.

For Petitioner : Mr.V.Muthuvelan
For Respondents : Mr.K.R.Badurus Zaman,
Govt. Advocate for R1 to R4

O R D E R

This Writ Petition is filed seeking a direction to the respondent Nos.1 to 3 to conduct an enquiry in connection with the property comprised in Survey Nos. 858/1, 856/2, 778/2C, 794/2, 795/1B, 778/2C, 782/1A, 782/2A, 788/2B, 789/2, 790/19, 798/8 and 778/2A in connection with Patta No.4425, 2654 situated at Puthur Village, Rajapalayam Taluk, Virudhunagar District, by taking appropriate action against the 5th Respondent in a manner known to law, based on the Petitioner's representation dated 15.12.2025 within the time frame stipulate by this Court.



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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 as against the 5th respondent, notice to her is dispensed with.

3. The learned counsel for the petitioner would submit that the 5th respondent, who is the brother of the petitioner's wife, is entitled to 1/3rd share in the subject property, however, she sold the entire extent of the property. Hence, the petitioner has sent a representation on 15.12.2025 before the respondents 1 to 4, seeking to conduct enquiry and take appropriate action as against the 5th respondent in accordance with law. Since the said representation has not been considered till date, the petitioner has filed this Writ Petition.

4. The learned Government Advocate appearing for the respondents 1 to 4 would submit that by referring the encumbrance certificate issued by the 4th respondent, the 5th respondent has sold her 1/3rd share of the undivided subject property. He would further submit that the petitioner has also mortgaged his 1/3rd share of the undivided property to one Subramani. Therefore, the petitioner's interest will not, in any manner, be affected by the sale effected by the 5th respondent.



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5. At this juncture, the learned counsel appearing for the petitioner, in reply, submitted that since the 5th respondent sold her 1/3rd undivided share of the subject property, its exact location within the property is not known. Hence, the petitioner has filed this Writ Petition.

6. For the said submission, the learned Government Advocate appearing for the respondents 1 to 4 would submit that if at all the petitioner intends to trace out his share in the undivided subject property, the proper course available to him is to file a suit for partition. The patta for the subject property also stands in the joint names. Therefore, he has to file a partition suit. Hence, he prays for dismissal of this Writ Petition.

7. Heard the submissions made by the learned counsel appearing on either side and perused the materials available on record.

8. On a perusal of the records, it is seen that the 5th respondent has sold only her 1/3rd share of the undivided property. In the event, if the petitioner intends to trace out his share in the undivided subject property, as rightly contended by the learned Government Advocate, the petitioner has to approach the civil Court and file a suit for



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partition. In the absence of approaching the Civil Court and instituting a suit for partition, the petitioner's grievance cannot be redressed.

Therefore, the relief as sought for by the petitioner cannot be granted by this Court, and the petitioner is at liberty to approach the Civil Court for redressal of his grievance.

9. With the above observations, this Writ Petition is disposed of. There shall be no order as to costs.

25.02.2026

Index : Yes/No

NCC : Yes/No

vsm

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KRISHNAN RAMASAMY, J.

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