

W.P.(MD)No.12289 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.04.2026

CORAM :

THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD)No.12289 of 2026

and

W.M.P.(MD)No.9322 of 2026

Jeyapremila

...Petitioner

Vs.

1.The District Registrar,
Periyakulam Registration Department,
Theni.

2.The Sub Registrar,
Sub-Registrar Office,
Uthamapalayam,
Theni District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order in Na.Ka.No.86/2026, dated 30.03.2026 passed by the second respondent quash the same as illegal and consequently, directing the respondents to record the objection filed by the petitioner in respect of Survey Nos.424/1, 424/2, 424/3, 424/4, 424/5, 424/6, 424/7, 424/8, 424/9 and 424/10 situated at Hanumanthanpatti, Uthamapalayam Taluk, Theni District, by considering the petitioner's objection petitions dated 26.03.2026.

For Petitioner : Ms.N.Gayathri

For Respondents : Mr.A.Baskaran
Additional Government Pleader



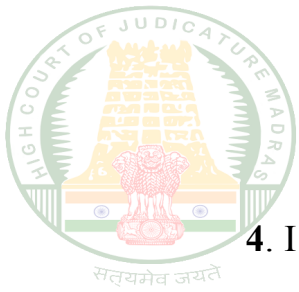
W.P.(MD)No.12289 of 2026

ORDER

WEB COPY The Writ Petition is filed challenging the impugned order dated 30.03.2026.

2. Upon hearing the learned counsel for the petitioner and perusing the material records, it is seen that the petitioner is the former wife of one A.Surendran, and their marriage was dissolved by a decree dated 23.08.2022 in H.M.O.P.No.19 of 2018. Out of the wedlock, a minor son, S.Dharsan, aged about 10 years, was born, who is stated to have a share in the ancestral property. The petitioner had, therefore, submitted an objection before the second respondent in respect of the ancestral property in Survey No.424/1, etc., situated at Hanumanthanpatti, Uthamapalayam Taluk. However, the same has been disposed of by the impugned order, directing the petitioner to approach the Civil Court.

3. The learned Additional Government Pleader would submit that it is not for the Sub-Registrar to decide whether the property is ancestral or self-acquired in nature, and that the Sub-Registrar cannot prevent the petitioner's former husband from executing or presenting any document for registration. It is also submitted that the said A.Surendran has not been arrayed as a party respondent in the Writ Petition.



W.P.(MD)No.12289 of 2026

4. I have considered the rival submissions made on either side and perused the material records of the case.

5. It is true that the Sub-Registrar cannot adjudicate upon the nature of the property, whether ancestral or self-acquired, nor can the Sub-Registrar prevent any person from dealing with the property by presenting documents for registration. However, in the present case, the limited prayer of the petitioner is to have her objection kept on record. Instead, the objection has been disposed of by offering legal advice to approach the Civil Court. In such circumstances, this Court is of the view that the impugned order is not sustainable.

6. Accordingly, the Writ Petition is allowed on the following terms:

(i) The impugned order dated 30.03.2026 is set aside.

(ii) The second respondent is directed to keep on file the objection submitted by the petitioner. In the event of any document being presented for registration in respect of the said property, the existence of such objection shall be brought to the notice of the executant and the claimant under the document and orders be passed at that juncture.



W.P.(MD)No.12289 of 2026

WEB COPY No costs. Consequently, the connected Miscellaneous Petition is closed.

27.04.2026

NCC : No
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To

1.The District Registrar,
Periyakulam Registration Department,
Theni.

2.The Sub Registrar,
Sub-Registrar Office,
Uthamapalayam,
Theni District.



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W.P.(MD)No.12289 of 2026

D.BHARATHA CHAKRAVARTHY, J.

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W.P.(MD)No.12289 of 2026

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