

W.P.(MD)No.7147 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.03.2026

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD)No.7147 of 2026

and

W.M.P.(MD)No.5852 of 2026

Minor H.Priyadarshini,
D/o.Late V.Hariharan,
Represented by her Natural Guardian,
Ramalakshmi, W/o.Late V.Hariharan,
7/18J/15, Jamalpur City,
Chakkaramalpuram,
Tirunelveli District.

... Petitioner

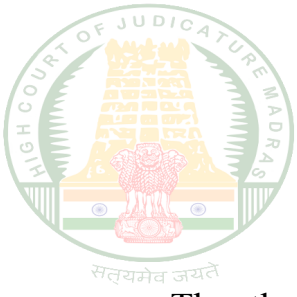
-vs-

The Sub Registrar,
Keelur,
Thoothukudi District.

... Respondent

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned refusal check slip in RFL/Keelur/25/2026 dated 05.03.2026 on the file of the respondent and quash the same and consequently direct the respondent to register the Sale Deed presented by the petitioner along with five others in respect of the property comprised in Town Survey Nos.517, 518, 519, 520 and 521, Ward No.4, Block No.2, situated at Muthunaickar Street, Thoothukudi Town,

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Thoothukudi District along with other properties, within a time frame as may be stipulated by this Court.

For Petitioner : Mr.K.Jeyamohan

For Respondent : Mr.M.Gangatharan
Government Advocate

ORDER

The writ petition is filed challenging the impugned refusal check slip dated 05.03.2026.

2. Upon hearing the learned counsel for the petitioner and upon perusing the material records of the case, it is seen that when the minor's property was sought to be alienated by the guardian in favour of a third party, the impugned refusal check slip came to be issued stating that prior permission should be obtained from the competent Court and that the guardian is not permitted to alienate the property until the minor attains majority.

3. I have also heard the learned Government Advocate appearing on behalf of the respondent.



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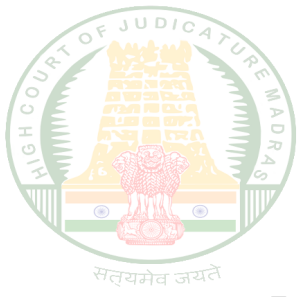
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4. I am of the view that if a limited estate is vested in the guardian to administer the minor's property with a condition not to alienate the property until the minor attains majority, the same will not operate as an absolute bar, but will only give a right of election to the minor to repudiate the transaction immediately after attaining majority. For instance, if the sale is necessary for the welfare of the minor, the guardian can undertake the same. As far as permission is concerned, it cannot be held that the document itself will be invalid merely because permission from the competent Court has not been obtained.

5. This question has already been decided by this Court in **W.P.No.1989 of 2023**, dated **27.01.2023** (Minor Jagadish vs. The Inspector General of Registration and another).

6. For all the above reasons, the impugned refusal check slip stands quashed and the respondent is directed to register the document, if it is otherwise in order and if there is no other legal impediment.

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7. Accordingly, this Writ Petition is allowed. No costs. Consequently, the connected Miscellaneous Petition is closed.

16.03.2026

Neutral Citation : No
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To:-

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D.BHARATHA CHAKRAVARTHY, J.

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