

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2016

CORAM:

THE HON 'BLE MR. JUSTICE T.S.SIVAGNANAM

Writ Petition No.32778 of 2016
and W.M.P.No.28347 of 2016

M.Pushparani

... Petitioner

Versus

1. The Sub-Registrar, Sub-Registration Office,
Joint - 1 (South),
Saidapet, Chennai - 15

2. D.Jawahar Lal

.. Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus to forbear the first respondent from making any further registration in S.No.147, Plot No.36, spread over 1187 ½ sq.ft., and the superstructure situated at Karambakkam Village, Saidapet Sub-Registration District, South Chennai Registration District, Ambattur Taluk, Thiruvallur District.

For Petitioner : Mr. P.Vijendran

For Respondent : Mr. R.A.S.Senthilvel, A.G.P., for R-1

O R D E R

Heard Mr.P.Vijendran, learned counsel for the petitioner and Mr.R.A.S.Senthilvel, learned Additional Government Pleader for the first respondent.

2. Admittedly, the petitioner has obtained a decree against the second respondent for recovery of money in O.S.No.1 of 2015 on the file of the Sub-Court, Poonamallee, dated 26.11.2015. The decree appears to be an exparte decree and the petitioner has filed an Execution Petition in E.P.No.3 of 2016 in O.S.No.1 of 2015 before the trial court, for the attachment and sale of the property of the second respondent. The said Execution Petition is pending. In the meantime, the petitioner seeks for

a direction upon the first respondent not to entertain any document pertaining to the said property. The matter is now seized of by the Civil Court. The petitioner rightly approached the Civil Court and filed Execution Petition for attachment of the property-in-question. Therefore, parallelly, he cannot move the writ petition, for the relief, as afore-mentioned. Therefore, the writ petition is dismissed. However, this will not prejudice the rights of the petitioner in the Execution Petition pending before the Sub Court, Poonamallee. No costs. Consequently, the connected WMP is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

1. The Sub-Registrar, Sub-Registration Office,
Joint - 1 (South), Saidapet,
Chennai -15.

+1cc to Mr.P.Vijendran, Advocate Sr.53996

+1cc to the Government Pleader Sr.53469

W.P.No.32778 of 2016
& W.M.P.No.28347 of 2016

sr[co]
srg 04/10/2016

सत्यमेव जयते

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