



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.12.2016

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P(MD)No.4218 of 2015

Anwar Ali Khan

... Petitioner

Vs.

The Sub Registrar,
Lalgudi Sub Registrar Office,
Registration Department,
Lalgudi, Lalgudi Taluk,
Trichy District.

... Respondent

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondent to release the settlement deed, dated 09.02.2015 in document No.201500448 pending on the file of the respondent within time as stipulated by this Court.

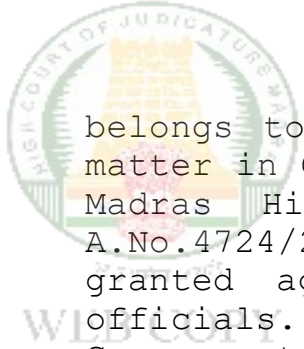
For Petitioner	: Mr.P.Natarajan
For Respondents	: Mr.C.Selvaraj
	Special Government Pleader

O R D E R

This writ petition is filed seeking for a direction to the respondent to release the settlement deed, dated 09.02.2015, in Document No.201500448.

2. It is contended by the petitioner that his mother, brothers and sisters have settled the property at Survey No.274/5 and Natham Survey No.25/1 at Peruvalanallur (East) Village, Lalgudi Taluk, Trichy District and a vacant land nearly 95 grounds, 1774 sq.ft is at Survey No.2024 Block No.41, previously Survey No.2253 in Patta No.862 at Mylapore, Mylapore Taluk, Chennai District, by executing a settlement deed, dated 09.02.2015, in his favour and the said document was presented before the respondent for registration. It is his further case that even though he paid necessary fees towards registration, the document was not returned by the respondent.

<https://hcservices.ecourts.gov.in/hcservices/>
3. The respondent filed a counter affidavit, wherein, it is stated that the property covered in T.S.No.2024 Mylapore village



belongs to Wakf Board and also the said property is the subject matter in C.S.No.694 of 2012 on the file of the Principal Bench of Madras High Court, wherein, by an interim order made in A.No.4724/2012, dated 26.11.2012, an order of status quo was granted against the parties in the said suit including the officials. Therefore, it is contended by the learned Special Government Pleader that by suppressing the above-stated facts and circumstances, the above settlement deed was presented for registration by the petitioner before the respondent, which was later found to be a fraudulent attempt after getting report from the Sub-Registrar, Mylapore, dated 13.02.2015.

4. The learned counsel appearing for the petitioner submitted that he is unable to contact his party.

5. The learned Special Government Pleader submitted that the above-said civil suit is still pending before the Principal Bench of this Court with the interim order as stated supra and therefore, the document cannot be released.

6. From the above narrated facts and circumstances, it is seen that in respect of the property covered under the settlement deed, a civil suit is pending before the Principal Bench of this Court, wherein an interim order has also been granted directing the parties including the officials to maintain status quo. When that being the position, the petitioner seems to have made an attempt to get the documents registered in suppression of all those facts. Therefore, I find that the petitioner is not entitled to the relief sought for in this writ petition unless and until a finality is arrived at in the said suit pending before the Principal Bench of this Court.

9. Accordingly, this writ petition fails and the same dismissed. No costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub-Assistant Registrar

To

The Sub Registrar, Lalgudi Sub Registrar Office,
Registration Department, Lalgudi, Lalgudi Taluk,
Trichy District.

+One cc to M/s.N.Tamilmani, Advocate, SR.No.80337

+One cc to The Special Government Pleader, SR.No.80506

skn

RL/4C/2P/SS2/2.1.2017

W.P(MD)No.4218 of 2015

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