



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.07.2017

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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P. (MD) No.13568 of 2017

P.Muthulakshmi

... Petitioner

Vs.

1.The District Registrar,
O/o. District Registrar,
Dindigul,
Dindigul District.

2.The Sub Registrar,
O/o. Sub Registrar,
Battalagundu,
Dindigul District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 20.06.2017.

For Petitioner	:Mr.M.A.M.Raja
For Respondents	:Mr.G.Muthukannan Government Advocate

ORDER

This Writ Petition has been filed seeking for the issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation, dated 20.06.2017.

2.According to the petitioner, he along with one Raju, S/o.Perumalsamy started a partnership firm in the name and style of "P.R.V.Properties" on 01.04.2012. Subsequently, they purchased a land in Ganguvarpatti village, Periyakulam Taluk and also developed as layouts.

3.The grievance of the petitioner is that his partner, namely, Raju was selling the property, without his knowledge and therefore, he filed a suit against the said Raju, in O.S.No.21 of 2017, before the Principal District Court, Theni, for dissolution of the partnership deed. Now, the said Raju is attempting to alienate the property without consent of the petitioner. Hence,



he sent a representation to the respondents on 20.06.2017 requesting them to stop the registration of the document till the dispose of the suit. Till date, the said representation has not been considered so far. Hence, the present writ petition has been filed.

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4. Heard Mr.M.A.M.Raja, learned counsel appearing for the petitioner as well as Mr.G.Muthukannan, learned Government Advocate appearing for the respondents.

5. It is seen that a dispute exists between the petitioner and his partner Raju and hence the petitioner has sent the representation to the respondents requesting them to stop the registration of the document till the disposal of the suit. It is to be noted that the Civil Court has not granted interim order in favour of the petitioner.

6. In the light of the above facts, this Court is of the considered opinion that the respondents have no authority or obligation to decide the dispute between the petitioner and his partner and they cannot refuse the registration of documents till the disposal of the suit.

7. In such view of the matter, this writ petition is dismissed. No costs.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The District Registrar,
O/o. District Registrar,
Dindigul,
Dindigul District.

2. The Sub Registrar,
O/o. Sub Registrar,
Battalagundu,
Dindigul District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 67280

SSS/SKN

TE/MR-KKR/SAR-III : 06/09/2017 : 2P/4C