



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.08.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.(MD)No.16462 of 2017

M.Balamurali

... Petitioner

-Vs-

1. The District Registrar,
Office of the District Registrar,
Dindigul District.

2. The Sub Registrar,
Office of the Sub Registrar,
Dindigul District.

3. S.Panchatcharam

4. A.Solamalai

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, to direct the Respondent No. 1 and 2 not to register the sale deed in Survey No.532/1 in Kookal Village, Kodaikanal Taluk, Dindigul District for an extent of 1.34 Hectare land.

For Petitioner : Mr.R.Alagumani
For Respondents 1 and 2 : Mr.G.Muthukannan
Government Advocate

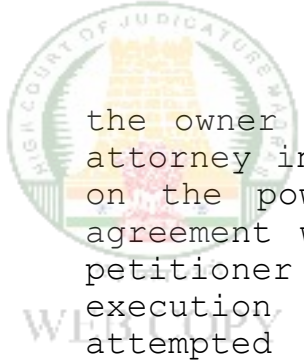
ORDER

The prayer in this writ petition is for a direction to the respondents 1 and 2, not to register any sale deed with regard to survey No.532/1 in Kookal Village in Kodaikanal Taluk.

2.Mr.G.Muthukannan, learned Government Advocate takes notice for the respondents. By consent of both parties the writ petition is taken up for final disposal at the stage of admission itself.

<https://hcservices.ecourts.gov.in/hcservices/>

3.The petitioner would claim that the third respondent, who is



the owner of the property in survey No.532/1 executed a power of attorney in favour of the fourth respondent on 22.04.2016 and based on the power of attorney the fourth respondent entered into an agreement with the petitioner on 09.02.2017. Subsequently when the petitioner is ready to pay the balance sale consideration for execution of the sale deed, the respondent evaded and he has attempted to sell the property to the third party. Hence, the present writ petition.

4. Heard Mr.R.Alagumani, learned counsel for the petitioner and Mr.G.Muthukannan, learned Government Advocate appearing for respondents 1 and 2 and perused the records.

5. Even according to the petitioner, he is only an agreement holder as on date and no sale is made in his favour. Further there is no order from the civil Court restraining the respondents 1 and 2 from registering sale deed. So, at this juncture, in my considered opinion the petitioner is not entitled for the relief sought for in the writ petition.

6. In that view, this writ petition is dismissed with liberty to approach the competent civil Court. No cost.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The District Registrar,
Office of the District Registrar,
Dindigul District.
2. The Sub Registrar,
Office of the Sub Registrar,
Dindigul District.

+ 1 CC TO Mr.R.ALAGUMANI, ADVOCATE IN SR No. 76306

DSK
TE/SKN-RSK/SAR-II : 20/09/2017 : 2P/4C