

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :05.10.2018
CORAM
THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
W.P.No. 27760 of 2013

A.V.Namasivayam

..Petitioner

vs

1.The Special Officer,
Brindhavanam Housing Society,
No.28, Tamil Nadu Co-operative Society,
Ramanathan Street, Thiyagaraya Nagar,
Chennai-600 017.

2.Pushpanathan
3.Felix Arockyaraj
4.Anitha Mary
5.P.Shanthi
6.P.Karthick
7.P.Gopinath
8.P.Balaji
9.A.V.Visalakshi
10.A.V.Kalaiselvi
11.A.V.Jayalakshmi

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to register the land to the extent of 750 sq.ft. bearing S.No.451/146 of Egmore Village, situated at Plot No.9, Brindhavanam 3rd Street, Chetpat, Chennai-600 031 as per his representation dated 23.11.2012.

For Petitioner : Mr.S.Kumara Devan

For Respondents: Mrs.A.Sumathy for R1

Mr.c.Petriciajoany for R2 & R11

Mr.N.Gnanalingam for R3 & R4

Mr.S.Giridharan for R5 to R8

Mr.Dalit Tiger C.Ponnusamy for R10

O R D E R

The relief sought for in this writ petition is for a direction directing the respondent to register the land to the extent of 750 sq.ft. bearing S.No.451/146 of Egmore Village,

situated at Plot No.9, Brindhavanam 3rd Street, Chetpat, Chennai-600 031, as per the petitioner's representation dated 23.11.2012.

2. It is informed by the learned counsel appearing for the petitioner that the suit for interim injunction has also been filed.

3. The relief as such sought for in the present writ petition for registration of a land cannot be considered, in view of the fact that all such disputed and complex facts and circumstances are to be adjudicated before the competent forum by producing all original documents and by adducing evidences. This Court cannot go into the factual aspects that whether the writ petitioner has got any civil right for the purpose of seeking relief of registration of documents in respect of the immovable property. All such issues are to be adjudicated by warranting a trial before the competent Court of law.

3. In view of the nature of the prayer now sought for, this Court is of an opinion that the same cannot be considered in this writ petition. However, it is left open to the writ petitioner to pursue the remedy in accordance with law.

4. Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

sk

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1.The Special Officer,
Brindhavanam Housing Society,
No.28, Tamil Nadu Co-operative Society,
Ramanathan Street, Thiyagaraya Nagar,
Chennai-600 017.

+1cc to Mr.S.Kumara Devan, Advocate SR.NO.68912
+1cc to MR.S.Giridharan, Advocate SR.NO.68971
+1cc to Mr.Dalit Tiger C.Ponnusamy, Advocate SR.NO.69001

sm:15.11.2018

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