

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.1664 of 2018

Mr.N.John Nesan
S/o.Nehru Dhyriam

.. Petitioner

Vs.

1. The Inspector General of Registration
Santhome High Road,
Chennai-600 004.
2. The District Registrar
Registration Department
Rajaji Salai,
Chengalpattu - 600 301.
3. The Sub Registrar
Maduranthakam Sub Registrar Office
Maduranthakam.
4. Mrs.Sasirekha
W/o.Late Perumal Reddy
5. Mr.Praveen Kumar
S/o.Late Perumal Reddy
6. Mr.Ramnath
S/o.Late Perumal Reddy

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents 1 and 2 to hold enquiry against respondent 3 and to take action against respondent 3 based on the petitioner's representation dated 09.12.2016.

For Petitioner: Mr.T.Starlin Gnanadhas

For Respondents: Mr.E.Balamurugan
Additional Government Pleader
for R1 to R3.

O R D E R

This writ petition is filed for a mandamus directing the respondents 1 and 2 to hold enquiry against the third respondent and to take action against the third respondent, based on the representation of the petitioner dated 09.12.2016.

2. Heard the learned counsel for the petitioner.

3. The grievance of the petitioner before this Court is that the third respondent has registered a document viz., Agreement of sale entered into between the private respondents herein in violation of the interim order granted in OS.No.39 of 2012 on the file of the District Munsif Court, Maduranthakam. Therefore, the petitioner seeks for a direction to take action against the third respondent at the hands of the respondents 1 and 2. For which purpose, he made the above said representation and consequently, seeks for a direction from this Court as stated supra.

4. Admittedly, the suit is said to be still pending. If the petitioner is aggrieved against the action of the third respondent, who is also a party to the said suit, it is for the petitioner to work out his remedy before the Civil Court, where the suit is pending, even assuming that the third respondent has violated some interim order granted by the Civil Court. The petitioner has not placed the said interim order before this Court, which is said to have been passed by the Civil Court. Even otherwise, as the said suit is pending where the third respondent is also a party in the said suit, I do not think that the petitioner can seek a parallel remedy, by way of the present writ petition, as it is for him to work out the same before the Civil Court, where the suit is pending. Hence, I am not inclined to entertain this writ petition. Thus, this writ petition fails and accordingly, the same is dismissed, without expressing any view on the merits and contentions raised in this writ petition in respect of the claim made by the petitioner, which is the subject matter of the said suit. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector General of Registration
Santhome High Road,
Chennai-600 004.

2. The District Registrar
Registration Department
Rajaji Salai,
Chengalpattu - 600 301.

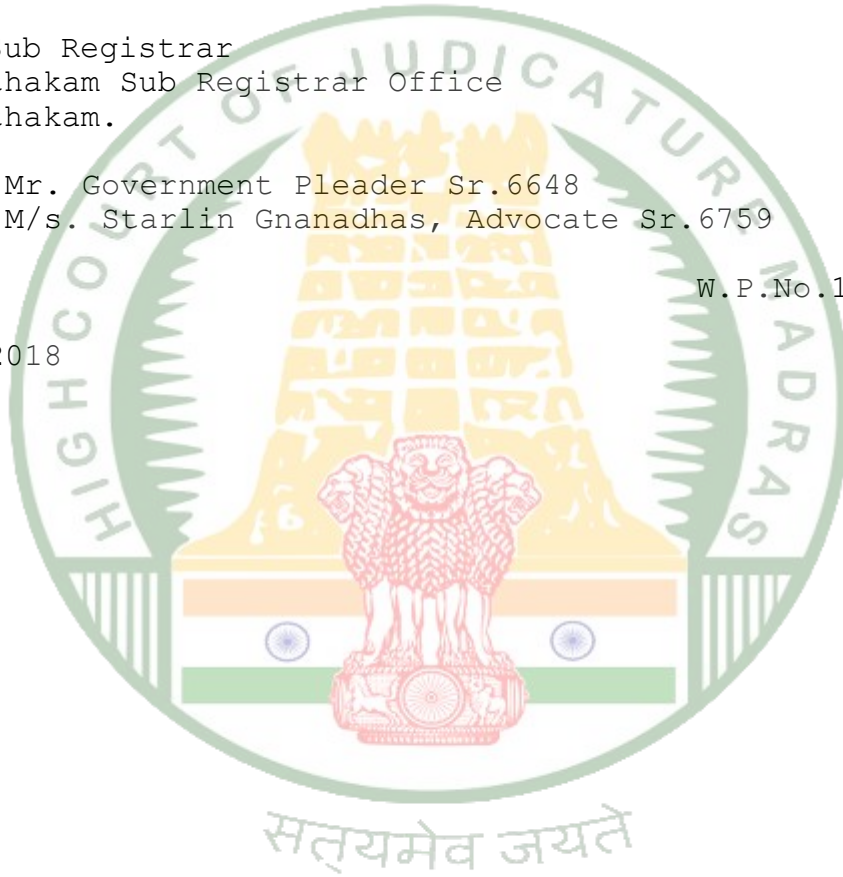
3. The Sub Registrar
Maduranthakam Sub Registrar Office
Maduranthakam.

+ 1 cc to Mr. Government Pleader Sr.6648

+ 1 cc to M/s. Starlin Gnanadhas, Advocate Sr.6759

W.P.No.1664 of 2018

KAN(CO)
EU(15/02/2018



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