



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2018

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.2547 of 2018

A.Ayeesa Bibi

... Petitioner

Vs.

1.The District Registrar,
Madurai District,
Madurai.

2.The Sub Registrar,
Arasaradi,
Madurai.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents to with hold any further registration on the house site of the petitioner in survey Nos.21/7A 2A, 2B, 2C for the extent of 55 cents in Patta No.261 of Arappalayam, Madurai South Taluk, Madurai.

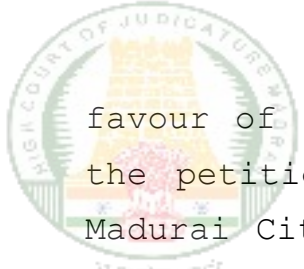
For Petitioner : Mr.R.Sevugaraja

For Respondents : Mrs.J.Padmavathidevi,
Special Government Pleader.

ORDER

This writ petition has been filed seeking direction to the respondents to withhold any further registration on the house site of the petitioner in survey Nos.21/7A, 2A, 2B and 2C measuring to an extent of 55 cents in Patta No.261, Arappalayam, Madurai South Taluk, Madurai District.

2.According to the petitioner, the petitioner and her sister are the owners of the above said property. Since some third parties created forged power of attorney and executed sale deeds in



favour of 11 persons in respect of the above said property. Hence, the petitioner has given complaint to the Commissioner of Police, Madurai City and a criminal case has also been registered in Crime No.36 of 2009 which is pending before the Judicial Magistrate No.I, Madurai in C.C.No.202 of 2013. Subsequently, the petitioner has also filed a suit which is also pending. During the pendency of the above said proceedings, the petitioner has filed an application before the respondents. Since no order has been passed, the present writ petition has been filed.

3.Admittedly, the civil and criminal proceedings initiated by the petitioner are pending. Based on the above said proceedings, alone the second respondent cannot refuse to register any document. If at all, the petitioner has got any grievance against the third parties, in alienating the property in question, it is open to the petitioner to approach the competent Civil Court and obtain suitable orders.

4.With the above observation, the writ petition is dismissed. No costs.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1.The District Registrar,
Madurai District,
Madurai.

2.The Sub Registrar,
Arasaradi,
Madurai.

+1cc to Special Government Pleader in SR.No.48291.

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