



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.524 7 of 2019

Gurunathan

... Petitioner

Vs.

1. The Sub Registrar,
Veeravanallur Sub Registrar Office,
Veeravanallur,
Tirunelveli District.

2. Prabhakar

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent herein not to entertain any documents submitted by the second respondent pertaining to the sale deed vide document No.847/2016 dated 15.07.2016 standing in the petitioner's name and the name of the second respondent, either for alienation or for any other purposes by the first respondent by considering the petitioner's objections dated 01.03.2019.

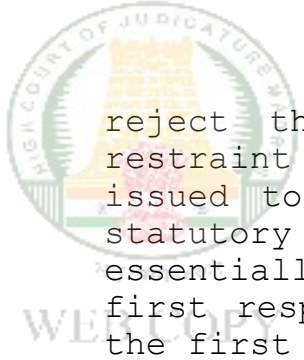
For Petitioner	: Mr.S.Sathya Chidambaram
For R-1	: Mr.M.Murugan, Government Advocate.

O R D E R

Heard the learned counsel appearing for the Writ petitioner and the learned Government counsel appearing for the first respondent.

2. The case of the Writ petitioner is that the suit property was purchased jointly by the Writ petitioner and the second respondent. The second respondent is now attempting to illegally alienate the same. He has therefore given objection petition to the first respondent and wants the first respondent not to receive any document that may be submitted by the second respondent in this regard.

3. This Court called upon the Writ petitioner to answer under which provision of law, the objection petition was submitted. The petitioner's counsel is unable to respond. In any event, the first respondent cannot be restrained from discharging his statutory obligations. If the document that is submitted by the second respondent is in order, the first respondent will definitely receive the same. If it is not in order, the first respondent will



reject the same. This Court cannot in anticipation pass any restraint order against the first respondent. No Mandamus can be issued to restrain the statutory authority from discharging his statutory function. That apart, it is seen that the petitioner essentially seeks relief in the nature of injunction against the first respondent. The petitioner must file a civil suit against the first respondent. Filing of this Writ petition is misconceived.

4. This Writ petition stands dismissed, accordingly. No costs.

Sd/-

Assistant Registrar (CRL SIDE)

// True Copy //

Sub Assistant Registrar (CS)

Pmu

To

1. The Sub Registrar,
Veeravanallur Sub Registrar Office,
Veeravanallur,
Tirunelveli District.

+1CC TO MR.S.SATHYA CHIDAMBARAM, Advocate Sr. No. 52342

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 52260

W.P. (MD) No. 5247 of 2019
06.03.2019

TR (19.03.2019) 2P 4C