



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.5485 of 2019

WEB COPY

Sridhar Mohan

... Petitioner

Vs

The Sub Registrar,
Office of the Sub Registrar,
NRT Road, Theni,
Theni District.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondent not to register any document to be presented for registration in respect of the petitioner's ancestral property comprised in Survey No.415/4A to an extent of 61 cents situated at Koduvilarpatti Village, Periyakulam Registration District, Theni District, without the knowledge of the petitioner and his sister, based on the petitioner's representation dated 20.02.2019.

For Petitioner : Mr.R.Murugan

For Respondent : Mr.M.Murugan

Government Advocate

ORDER

Heard the learned counsel on either side.

2.The petitioner wants this Court to restrain the respondents from registering any document pertaining to the petition mentioned property. In this regard, he has given a representation dated 20.02.2019.

3.This Court cannot issue a writ of Mandamus forbearing the statutory authorities from discharging the statutory functions. As and when the document is presented for registration, the respondents will definitely act as per the provisions of the Registration Act and the instructions issued by the IG of registration. This Court cannot issue any omnibus restraint order.

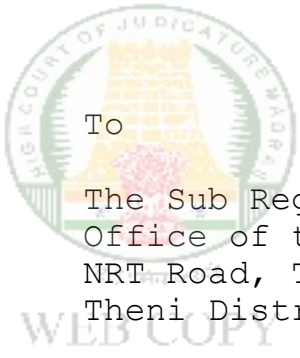
4.I find no merit in the writ petition. If the writ petitioner has any grievance, it is for him to file a declaration or injunction suit before the competent Civil Court.

5.With these observations, the writ petition stands dismissed.
No costs.

Sd/-

Assistant Registrar(T&P)

/True Copy/



To

The Sub Registrar,
Office of the Sub Registrar,
NRT Road, Theni,
Theni District.

+1cc to Mr.R.Murugan, Advocate, SR.No.52631
+1cc to Special Government Pleader, SR.No.53064

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SP/05.04.2019/2P/4C