



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.12.2019

CORAM

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

WEB COPY

W.P. (MD) .No.15253 of 2015

S.Jeyalakshmi

.. Petitioner

Vs.

1.The District Registrar,
Registration Department,
Government of Tamil Nadu,
Office of the District Registrar,
Tuticorin.

2.The Sub Registrar,
Registration Department,
Government of Tamil Nadu,
No.1, Sub Registrar Office,
Tuticorin.

3.S.Sundarakrishnan

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the first and second respondent not to register any documents most particularly lease deed submitted by the third respondent herein relating to the schedule property without the consent or signatures of other partners M/s.Krishna & Co., based on the representations and legal notice dated 17.07.2015 according to law.

For Petitioner

: Mr.S.Muthalraj

For Respondents 1&2

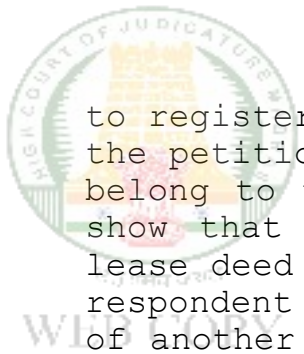
: Mr.M.Murugan

Government Advocate

ORDER

This Writ Petition is filed for issuing a Writ of Mandamus directing the first and second respondents not to register any documents particularly lease deed submitted by the third respondent herein relating to the schedule property without the consent or signature of other partners by name M/s.Krishna & Co.

2.The petitioner states that she is a partner along with her husband and children in the firm, M/s.Krishna & Co. It is the further case of the petitioner that the petitioner's husband namely the third respondent without the consent of other partners proposed



to register a lease deed in respect of the property of firm. Though the petitioner has not stated in her affidavit the schedule property belong to the firm, the sale deed is produced before this Court to show that the property was purchased by the firm. The proposed lease deed is also produced before this Court to show that the third respondent has executed a document purported to be a lease in favour of another firm represented by one Ananth Krishnan. The lease deed has been executed by the third respondent as his separate property. Though this Writ Petition was filed in 2015, the petitioner's counsel took adjournment on the first day and the matter was not listed thereafter.

3.Having regard to the fact that the petitioner has admitted in the affidavit that a suit in O.S.No.302 of 2015 on the file of Principal District Munsif Court, Tuticorin has already been filed by other partners for the same relief, this Court is not inclined to entertain the same. Preserving liberty to the petitioner and other partners to prosecute the Civil Suit for appropriate relief, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

SRM

To

1.The District Registrar,
Registration Department,
Government of Tamil Nadu,
Office of the District Registrar,
Tuticorin.

2.The Sub Registrar,
Registration Department,
Government of Tamil Nadu,
No.1, Sub Registrar Office,
Tuticorin.

+1 CC to M/s.SPL.GP (SR-104968[F] dated 13/12/2019)

ORDER MADE IN
W.P. (MD) No.15253 of 2015
12.12.2019

scr (CO)

TR(06.01.2020) 2P 4C