



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **15.11.2019**

CORAM:

THE HONOURABLE **MR.JUSTICE M.SUNDAR**

W.P. (MD)No.24189 of 2019

N.Shanmuganathan

... Petitioner

/Vs./

1.The District Registrar,
Registration Department,
Thoothukudi, Thoothukudi District.

2.The Sub Registrar,
Registration Department,
Srivaikundam, Thoothukudi District.

3.Marithai @ Maheswari

... Respondents

PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 2nd respondent to register the sale deed in Survey Nos.69/3A, 70/3, 71/1, 71/3, 72/1, 72/2, 73/1, 73/2 at Vellur Athichanallur Village, Srivaikundam Taluk, Thoothukudi District.

For Petitioner	: Mr.R.Velmurugan
For R-1 & R-2	: Mr.M.Murugan
	Government Advocate

ORDER

After some arguments, learned counsel for writ petitioner sought permission to withdraw this writ petition, but made a plea that the rights of the writ petitioner may please be preserved for filing a suitable Interlocutory Application in the pending partition suit namely O.S.No.48 of 2018 on the file of the Principal District Judge, Thoothukudi.

2. This Court is informed that the District Registrar and Sub-Registrar are defendants 10 and 12 in the above said suit, though post amendment plaint has not been placed before this Court.

3. Permitted to withdraw.

4. Learned counsel has made an endorsement in the case file to this effect. Endorsement is reiterated.



5. Though obvious, it is made clear that if the writ petitioner approaches the Principal District Court, Thoothukudi with Interlocutory Application, the same shall be decided by the learned Trial Judge on its own merits and in accordance with law, uninfluenced / untrammelled by this order.

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6. In the light of the endorsement and reiteration of the same, instant Writ Petition is dismissed as withdrawn albeit preserving the rights of the writ petitioner in the aforesaid manner. It is made clear that all questions, including points raised in instant writ petition are left open. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

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To

1.The District Registrar,
Registration Department,
Thoothukudi, Thoothukudi District.

2.The Sub Registrar,
Registration Department,
Srivaikundam, Thoothukudi District.

+1 CC to Mr.R.VELMURUGAN, Advocate (SR-98643[F] dated 15/11/2019)

+1 CC to SPL GP (SR-99021[F] dated 18/11/2019)

Order made in
W.P.(MD)No.24189 of 2019
15.11.2019

VB(06.12.2019) 2P 5C