

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.09.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAIWAMY

W.P.No.10982 of 2016
and W.M.P.No.9572 of 2016

V.Ashok Mehta

... Petitioner

Vs.

1.The Inspector General of Registration (Stamps),
Santhome High Road,
Chennai - 600 004.

2.The Sub Registrar,
Kadathur Sub Registrar Office,
Kadathur,
Dharmapuri District.

... Respondents

Petition filed under Article 226 of the Constitution of India for issuing a writ of mandamus forbearing the respondents from registering any deed or document pertaining to the land in Survey No.20/1 of Kadathur Village, Pappireddipatti Taluk and presented by legal heirs of Venkatachala Chettiar based on the representation of the petitioner dated 25.02.2016.

For Petitioner : Mr.M.Selvam

For Respondents: Mr.P.P.Purushothaman,
Government Advocate

O R D E R

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus forbearing the respondents from registering any deed or document pertaining to the land in Survey No.20/1 of Kadathur Village, Pappireddipatti Taluk and presented by legal heirs of Venkatachala Chettiar based on the representation of the petitioner dated 25.02.2016.

2.Mr.M.Selvam, learned counsel appearing for the petitioner submitted that the petitioner had already filed a Civil Suit in O.S.No.133 of 2012 on the file of the District Munsif Court, Pappireddipatti and same is pending. Further, the learned counsel submitted that the petitioner has also filed a Miscellaneous Petition seeking for injunction and the same is also pending.

3.During the pendency of the Writ Petition, the petitioner has also given a representation to the 2nd respondent forbearing him from registering any document in respect of the suit property. The remedy open to the petitioner is only to get appropriate orders from the Civil Court and not by way of filing a Writ Petition, that too, when a Civil Suit is pending.

4.In such view of the matter, I am not inclined to entertain the Writ Petition. Accordingly, the Writ Petition is dismissed. However, it is open to the petitioner to prosecute the suit and injunction application in accordance with law. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-IX)

//True copy//

Sub Assistant Registrar

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To

- 1.The Inspector General of Registration (Stamps),
Santhome High Road,
Chennai - 600 004.
- 2.The Sub Registrar,
Kadathur Sub Registrar Office,
Kadathur,
Dharmapuri District.

+1cc to Government Pleader SR.No.30267

W.P.No.10982 of 2016
and W.M.P.No.9572 of 2016

VG II(CO)
GMY(19/10/2020)

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