

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2020

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 2692 of 2020

K.S. Ragunanthakumar

... Petitioner

-vs-

1.The Sub-Registrar,
Omalur,
Salem District.

2.C. Prakasam

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the First Respondents to consider my representation dated 02.12.2019.

For Petitioner : Mr. B. Nedunchezhiyan

For Respondents: Mr. T.M. Pappiah
Special Government Pleader (for R1)

O R D E R

When it is pointed out by Mr. T.M. Pappiah, Learned Special Government Pleader, who takes notice for the First Respondent, that inasmuch as civil suit for specific performance in O.S. No. 463 of 2019 against the Second Respondent has been instituted by the Petitioner before the District Judge, Salem relating to the same property, and the Petitioner can file application in that proceeding to implead the concerned Registering Authority and seek restraint of any alienation of that property without the prior permission of the Court as required under Section 52 of the Transfer of Property Act, 1882, during its pendency, instead of prosecuting the Writ Petition for such purpose, Learned

Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to resort to the same and he has made an endorsement to that effect, which is recorded.

2. Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty. No costs.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

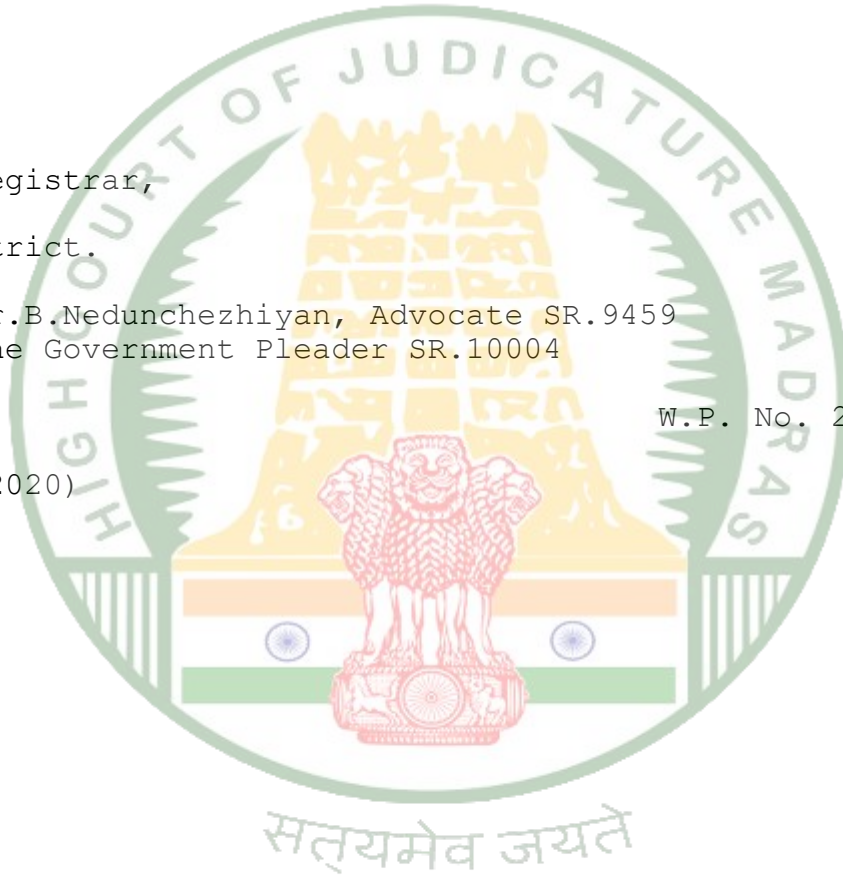
vjt/maya
To

The Sub-Registrar,
Omalur,
Salem District.

+1cc to Mr.B.Nedunchezhiyan, Advocate SR.9459
+1cc to the Government Pleader SR.10004

W.P. No. 2692 of 2020

SSD(CO)
CB(24/02/2020)



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