

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 21.02.2020
CORAM
THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU
W.P. No. 4190 of 2020
and
W.M.P. No. 4953 of 2020

V.A. Ponnusamy

... Petitioner

-vs-

1. The Inspector General of Registration,
Registration Department,
No. 100, Santhome High Road,
Chennai - 600 028.
2. The District Sub-Registrar,
Erode Sub-Registrar Office,
Rangampalayam,
Erode - 638 009.
3. The Sub-Registrar,
SRO Office,
Avalpoondurai,
Kangayam Road,
Erode - 638 115.
4. The Tahsildar,
Perundurai Taluk,
Perundurai,
Erode - 638 052.

5. K. Chinnasamy

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the First to Third Respondents to consider the representations dated 28.01.2020 and 10.02.2020 and not register the alienation of the property bearing survey Nos. 630/1C, 630/2A2, 630/2A5, 631/1A1B, 631/1A1D, 631/1A1G situated in Vadamugam Vellode Village and the property situated in Thenmugam Vellode Village bearing Survey Nos. 1203/1A, 1B, 1203/2A, 2B, 2C, 2D, 2E, 2F, 2G; 1205/2A, 2B, 2C; 1206/2A, 2B, 2C, 2D; 1206/6A, 6B; 1211/5A, 5B; 1099/3A, 3B; 1107/2A, 2B; 1175/1A, 1B, 1C, 1D; 1176/1A, 1B, 1C; 1212/1A, 1B, 1C, 2A, 2B, 2C, 2D, 2E

without following the due process of law.

For Petitioner : Mr. V.P.K. Gowtham

For Respondents: Mr. M. Thamizharasan,
Additional Government Pleader
(for R1 to R3)

Mr. R. Venkatesh,
Government Advocate (for R4)

O R D E R

Mr. M. Thamizharasan, Learned Additional Government Pleader takes notice for the First to Third Respondents and Mr. R. Venkatesh, Learned Government Advocate takes notice for the Fourth Respondent.

2. When it is pointed out by Learned Additional Government Pleader appearing for the First to Third Respondent, that inasmuch civil suits in O.S. No. 58 of 2017 on the file of the District Munsif cum Judicial Magistrate Court, Perundurai and O.S. No. 48 of 2019 on the file of the District Court, Erode has been instituted by the Petitioner along with other persons relating to the same property, and the Petitioner can file application in those proceedings 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.

3. Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty. Consequently, the connected Miscellaneous Petition is closed. No costs.

-s/d-
Assistant Registrar

True Copy
Sub-Assistant Registrar

vjt

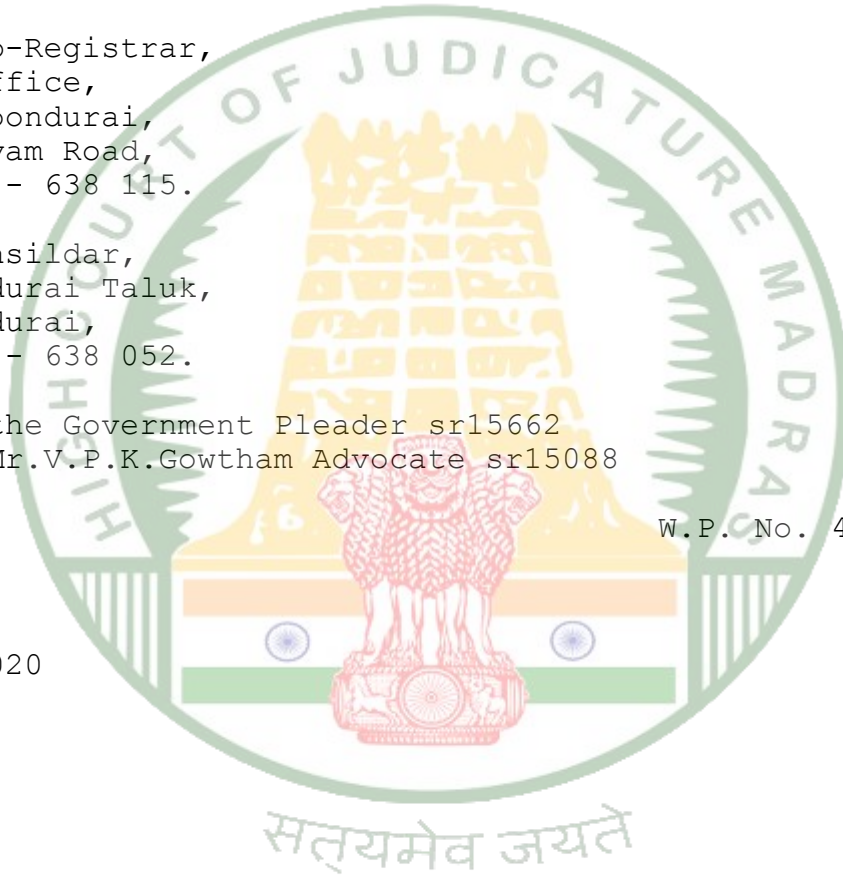
To

1. The Inspector General of Registration,
Registration Department,
No. 100, Santhome High Road,
Chennai - 600 028.
2. The District Sub-Registrar,
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4. The Tahsildar,
Perundurai Taluk,
Perundurai,
Erode - 638 052.

+1 cc to the Government Pleader sr15662
+1 cc to Mr.V.P.K.Gowtham Advocate sr15088

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