

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.09.2020

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

WP.No.13259/2020

V.Dayalan

..Petitioner

Versus

1. The District Registrar
District Registrar Office
Krishnagiri 635 001.

2. The Sub Registrar,
Sub Registrar Office
Hosur 635 109.

..Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents from registering any kind of documents with respect to the land situated in Survey No.759/3, of Nallur Village, Hosur Taluk, Krishnagiri District till the disposal of the suit in OS.No.68 of 2008 on the file of the District Munsif Court, Hosur.

For Petitioner : Mr.R.Bharath

For Respondent : Mr.T.M.Pappiah, Spl.GP

ORDER

- (1) This writ petition has been filed for the issue of a writ of mandamus, directing the respondents not to entertain any documents pertaining to the subject property till the disposal of the suit in OS.No.68 of 2008 on the file of the District Munsif Court, Hosur.
- (2) Heard the learned counsel for the petitioner and Mr.T.M.Pappiah, learned Special Government Pleader accepting notice on behalf of the respondents.
- (3) In the considered view of this Court, the relief sought for by the petitioner cannot be granted by this Court. A Writ Court can never be approached only for the sake of getting an interim order when the substantial dispute is pending before the competent Civil Court. If the petitioner has apprehension

that any third party rights are attempted to be created in the subject property, he can only file an appropriate application before the concerned Civil Court and get an interim order. On obtaining such an interim order, the same can be brought to the notice of the 2nd respondent. In the absence of the same, the petitioner cannot be knocking the doors of this Court under Article 226 of the Constitution of India, seeking for an interim order till the disposal of the suit. Such writ petitions can never be entertained and the law on this issue is well settled. Useful reference can be made to the judgment in Kalabharati Advertising V. Hemant Vimalnath Narichania and Others reported in 2010 [9] SCC 437.

(4) In the result, the writ petition stands dismissed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The District Registrar
District Registrar Office
Krishnagiri 635 001.
2. The Sub Registrar,
Sub Registrar Office
Hosur 635 109.

+1cc to Mr.P.Bharathkumar, Advocate, SR.No.31486
+1cc to the Government Pleader, Sr.No.31685

सत्यमेव जयते

WP.No.13259/2020

vg ii (co)
rr ii (18/11/2020)

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