

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:12.10.2020

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

W.P.No.14447 of 2020

Loganayaki

... Petitioner

Vs.

1. Sub-Registrar,
Office of Sub-Registrar,
Palladam,
Tiruppur District 641 664.
 2. The District Registrar,
Tirupur Registration
District Registrar's Office
1/3, Vignesh Complex Ground Floor,
P.N. Road, Tirupur 641 602.
 3. Inspector General of Registrar,
No.100, Santhome High Road,
Santhome, Chennai 600 004.
- ... Respondents

Prayer: Writ Petition filed under Section 226 of Constitution of India praying for issuance of Writ of Mandamus forbearing the 1st respondent from registering any Documents Deeds without hearing the petitioner in First Property in Survey No.SF.No.547, SF.No.;584, SF.No.585, SF.No.586, SF.No.588/1, Second and Third property in SF.No.583, SF.No.580/2 situated at Tiruppur Road, Palladam Sub Road, South Avinasipalayam Village, Tiruppur Taluk all within the jurisdiction of the 1st respondent based on the representation of the petitioner dated 04th September 2020 .

For Petitioner : Mr.V.Thillai Kumar

For Respondents : Mr.T.M.Pappiah, Spl.Govt. Pleader

WEB COPY

O R D E R

This Writ Petition has been filed for the issue of writ of Mandamus forbearing the 1st respondent form registering any documents pertaining to the subject property.

2. Heard Mr. Thillaikumar, learned counsel for the petitioner and Mr.T.M.Pappiah, learned Spl. Govt. Pleader appearing for the respondents.

3. It is seen from the records that already a suit is pending in O.S.No.270 of 2020 on the file of the Principal District Sessions Court, Thiruppur. This suit has been filed by the petitioner and two others as against one Vaijayanthi and others. If the petitioner apprehends that the defendants are taking hasty steps to create third party rights, the petitioner will have to file appropriate application before the concerned Court, in which the suit is pending. The petitioner cannot approach this Court and seek to restrain the 1st respondent from registering any documents. This Court cannot issue a Writ of Mandamus to restrain any authority from performing his statutory duties.

4. In view of the above, this Court is not inclined to entertain this writ petition and liberty is granted to the petitioner to file appropriate application before the concerned Civil Court in O.S.No.27 of 2020 pending on the file of the Principal District and Sessions Court. On filing such application, the concerned Court shall dispose it of as expeditiously as possible.

5. This Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

msr

To

1. Sub-Registrar,
Office of Sub-Registrar,
Palladam,
Tiruppur District 641 664.
2. The District Registrar,
Tirupur Registration
District Registrar's Office
1/3, Vignesh Complex Ground Floor,
P.N. Road, Tirupur 641 602.

3. Inspector General of Registrar,
No.100, Santhome High Road,
Santhome, Chennai 600 004.

Copy To:
The Principal District
& Sessions Judge,
Tiruppur.

+1 cc to The Government Pleader, Sr.No. 33895

W.P.No.14447 of 2020

MG (CO)
RMP (11/12/2020)



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