

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2020

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.No.23531 of 2019
and
W.M.P.No.23341 of 2019

S.Gopalraman

... Petitioner

-Vs-

1. The District Registrar,
Nagapattinam.

2. The Sub Registrar,
Thiruthuraipoondi,
Thiruvarur District.

3. D.Kannammal

4. M.Jayamalini

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 and 2 not to register the property consisting in Sr.No.25/3A in anyone else name stands in the name of Kannammal till the disposal of O.S.No.23/2018 pending before the District Munsif, Thiruthuraipoondi.

For Petitioner : Mr.S.Ilamvaludhi

For RR1 &2 : Mr.T.M.Pappiah

Special Government Pleader

For RR3 & 4 : Mr.B.Murugavel

ORDER

This Writ Petition has been filed for a direction to the first and second respondents not to register the property till the disposal of the suit in O.S.No.23 of 2018.

2. Heard Mr.S.Ilamvaludhi, learned counsel appearing for the petitioner and Mr.T.M.Pappiah, learned Special Government Pleader appearing for the respondent Nos.1 & 2 and Mr.B.Murugavel, learned counsel appearing for the respondent Nos.3 & 4.

3. The learned Special Government Pleader appearing on behalf of the second respondent submitted that the second respondent is also a party in O.S.No.23 of 2018, which is pending on the file of District Munsif Court, Thiruthuraipoondi. Therefore placing reliance upon a Circular dated 04.10.2018, the second respondent has taken a decision to keep the document pending in P.No.42/2019 till the final judgment and decree is passed in O.S.No.23 of 2018.

4. The learned counsel appearing on behalf of the third respondent submitted that this stand taken by the second respondent adversely affects the rights of the third respondent.

5. In view of the specific stand taken by the second respondent, no further orders can be passed in this Writ Petition except recording the submissions of the learned Special Government Pleader. If the third respondent is aggrieved by the specific stand taken by the second respondent, the third respondent has to necessarily challenge the same independently and cannot claim for any relief in the present Writ Petition.

6. This writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

rsi
To

1. The District Registrar,
Nagapattinam.

2. The Sub Registrar,
Thiruthuraipoondi,
Thiruvarur District.

+1cc to Mr.S.Ilamvaludhi , Advocate SR.No. 207821
+1 cc to Government Pleader Sr.No. 21636,21196

W.P.No.23531 of 2019
and

W.M.P.No.23341 of 2019

A.SK(11/03/2020)