



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.11651 of 2021
and W.M.P.No.12392 of 2021

1. P.Manivasagam
2. G.Maruthachalam .. Petitioners

Vs.

1.The Inspector General of Registration,
Office of the Inspector General of Registration,
100 Santhome High Road,
Chennai - 600 028.

2.The Sub Registrar,
Sulur, Coimbatore - 641 402.

3.S.Sellpandi
4.Saranya S.Kumar
5.A.Duraisamy .. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the first respondent to instruct the second respondent not to register any kind of document in respect of the properties which are subject matter of O.S.No.280 of 2021, on the file of the III Additional Subordinate Judge, Coimbatore.

For Petitioners	:	Mr.K.Venkatesan
For Respondents 1 to 3	:	Mr.K.M.D.Muhilan, Government Advocate
For Respondent 4	:	No appearance
For Respondent 5	:	Mr.Madhanakumar



O R D E R

(The case has been heard through video conference)

The writ petition has been filed seeking a direction to the second respondent not to register any kind of document in respect of the properties which are subject matter of O.S.No.280 of 2021, on the file of the III Additional Subordinate Judge, Coimbatore.

2. According to the petitioners, the petitioners and the fourth respondent are partners in real estate business and they mutually agreed to purchase and develop a land in S.F.No.519/2B, Segundanthali, Karumatampatty Suler Taluk, Coimbatore measuring an extent of 6.64 acres. Now, the respondents 3 to 5 are taking steps to sell the property without the knowledge of the petitioners. Hence they made a representation to the Sub Registrar not to register any document pertaining to the said lands. In the above circumstances, the petitioners have filed a suit in O.S.No.280 of 2021 on the file of the learned III Additional Subordinate Judge, Coimbatore for dissolution of the partnership firm and also for permanent injunction restraining the Sub Registrar from registering any document. Now pending suit, the petitioners approached the second respondent Sub Registrar not to register any document. That application was not considered, hence the present writ petition.

3. Heard the learned counsel on either side.

4. Considering the fact that the petitioners have already filed a suit seeking for injunction against the Sub Registrar not to register any document pending the suit, they cannot seek for similar relief before this Court. If at all the petitioners have any grievance, it is open for them to approach the Civil Court and get injunction against the second respondent and they cannot maintain a writ petition seeking similar relief. Hence the writ petition is liable to be dismissed and accordingly dismissed. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kk



To

1.The Inspector General of Registration,
Office of the Inspector General of Registration,
100 Santhome High Road,
Chennai - 600 028.

2.The Sub Registrar,
Sulur, Coimbatore - 641 402.

+lcc to M/s.K.Venkatesan, Advocate (SR No.29909)

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SSN (CO)
PR (27/07/2021)