



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17-09-2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.9272 OF 2016

AND

W.M.P.NO.8240 OF 2016

Mrs.R.Latha

... Petitioner

.Vs.

1. The Sub Registrar,  
Taluk Office Campus,  
Pollachi - 642 001.

2. Mrs.Visalakshi

... Respondents

PRAYER:- Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the first respondent to cancel the endorsement dated 16.07.2014 registered as Doc.No.5329 of 2014 by making an entry in the Register Book and encumbrance records kept by the first respondent herein to the effect that the same has been set aside under fair and decretal orders dated 16.03.2015 in I.A.No.794 of 2014 in O.S.No.481 of 2013, on the file of V Additional District and Sessions Judge's Court, Coimbatore or in the alternative, by registering the fair and decretal orders dated 16.03.2015 in I.A.No.794 of 2014 in O.S. No.481 of 2013, on the file of V Additional District and Sessions Judge's Court, Coimbatore as a document.

For Petitioner : Mr.C.R.Prasanan

For Respondent-1 : Mr.V.Veluchamy,  
Government Advocate

For Respondent-2 : Mr.C.Veera Raghavan

O R D E R

The relief sought for in the present writ petition is to direct the first respondent to cancel the endorsement dated 16.07.2014 registered as Doc.No.5329 of 2014 by making an entry



in the Register Book and encumbrance records kept by the first respondent herein to the effect that the same has been set aside under fair and decretal orders dated 16.03.2015 in I.A.No.794 of 2014 in O.S.No.481 of 2013, on the file of V Additional District and Sessions Judge's Court, Coimbatore or in the alternative, by registering the fair and decretal orders dated 16.03.2015 in I.A.No.794 of 2014 in O.S. No.481 of 2013, on the file of V Additional District and Sessions Judge's Court, Coimbatore as a document.

2. Admittedly, a civil suit in O.S.No.481 of 2013 is pending on the file of the V Additional District and Sessions Judge, Coimbatore.

3. The learned counsel for the second respondent states that the order passed by the Civil Court, setting aside the ex parte decree was also taken note of by the Registration Department. However, the subject matter is now sub judiced before the Competent Civil Court of Law.

4. Adjudication of the rights relating to the parties, cannot be undertaken in the writ proceedings and the first respondent-Sub Registrar has to implement the Court orders passed between the parties. However, the writ jurisdiction cannot be expanded for the purpose of adjudication of such civil dispute, which is now sub judiced before the Competent Civil Court.

5. May that it be, the learned counsel for the second respondent made a submission that the relief sought for in the present writ petition has already been granted by the first respondent and no further adjudication is required. Even in case of any other grievance exists for the petitioner, it is left open for the petitioner to approach the appropriate Competent Authority for the redressal of her grievances.

6. With the above observations, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

Svn



To

1. The V Additional District and Sessions Judge,  
The V Additional District and Sessions Court,  
Coimbatore.

WEB COPY

2. The Sub Registrar,  
Taluk Office Campus,  
Pollachi - 642 001.

+1cc to Mr.C.R.Prasanan, Advocate, S.R.No.47781

W.P.NO.9272 OF 2016

SRA (CO)  
PBS/13/10/2021