



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.03.2021**

CORAM

THE HONOURABLE MR.JUSTICE **V.PARTHIBAN**

W.P. (MD) No.4801 of 2021

WEB COPY

A.Hairuni Nisha

.. Petitioner

vs

1.The Revenue Divisional Officer,
O/o. the Revenue Divisional Officer,
Ramanathapuram.

2.The Tahsildar,
O/o. the Tahsildar,
Ramanathapuram.

3.The Sub Registrar,
Vellipatnam Registered Office,
Ramanathapuram.

.. Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st respondent for not to entertain any further registration for the property which is comprised in Survey No.432/9 situated at Sakkarai-kottai Village, Ramanathapuram, until the final disposal of the appeal filed by the petitioner in Appeal No.2020/9005/25/836935/1118 dated 18.11.2020 on the file of 1st respondent.

For Petitioner	:	Mr.S.Vidhya Sagar
For Respondents	:	Mr.A.Thiagarajan Government Advocate

ORDER

The case of the petitioner is that the property in S.No.432/9 situated at Sakkarai-kottai Village, Ramanathapuram, measuring an total extent off 14 acre and 14 cents belongs to her father, late.U.Umar Khan. According to the petitioner, after her father's demise, she along with her siblings were enjoying the property and patta was also issued in the name of the petitioner along with her siblings. According to the petitioner, under the UDR scheme, there was change of patta entries and the name of the petitioner had been left out, for which, she had initiated some action.



2.The petitioner appears to have filed a writ petition in W.P. (MD) No.19056 of 2020 for disposal of the appeal, dated 18.11.2020 pending before the 1st respondent and the writ petition was disposed of on 08.02.2021 directing the appellate authority to pass orders within six weeks. According to the petitioner, the appeal has not been disposed of despite the direction issued by this Court and therefore, the present writ petition has been filed seeking a direction not to entertain any further registration for the property in question, till the appeal filed by the petitioner dated 18.11.2020 is disposed of.

3.This Court is unable to appreciate as to how the writ petitioner could approach this Court seeking a direction one after another for the same grievance. The constitutional jurisdiction of this Court cannot be converted into a direction Court to simply issue directions after directions at the convenience of the parties. The attempt by the petitioner once again approaching this Court in this writ petition is gross abuse of process of this Court, which cannot be entertained under any circumstances. Even otherwise, a mandamus of this nature can never be issued, directing the State authorities not to register any documents on the basis of the self-serving averments of the petitioner. If such direction is issued by this Court, it would amount to affecting the rights of the parties and the petitioner cannot be allowed to indulge in the luxury of litigating repeatedly before this Court for the same cause of action and such attempt by the petitioner must be seriously viewed.

4.For the above said reasons, the writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar (CRIMINAL)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1.The Revenue Divisional Officer,
O/o. the Revenue Divisional Officer,
Ramanathapuram.

2.The Tahsildar,
O/o. the Tahsildar,
Ramanathapuram.

3.The Sub Registrar,
Vellipatnam Registered Office,
Ramanathapuram.

+1 CC to M/s.SPL GP (SR-10188[F] dated 10/03/2021)

W.P. (MD) No.4801 of 2021
09.03.2021

CG (27.04.2021) 3P 5C