



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.11744 of 2021

A.Arockiya Prabhu

... Petitioner

Vs.

1. The District Registrar,
Registration Department,
Madurai District.

2. The Sub-Registrar,
Chekkanurani Sub-Registrar Office,
Madurai District.

3. The Sub-Registrar,
Batlakundu Sub-Registrar Office,
Dindigul District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the Respondents to consider and dispose of the petitioner's Objection pending as Receipt No.63/2020 dated 25.09.2020 on the file of the 2nd respondent as expeditiously as possible within the period as prescribed by this Court.

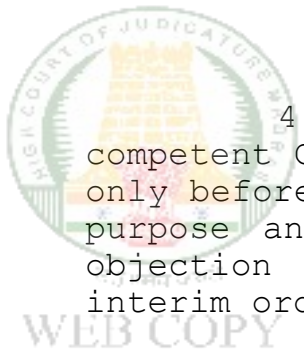
For Petitioner : Mr.R.L.Dhilipan Pandian
For Respondents : Mr.M.Lingadurai,
Government Advocate.

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the respondents to consider the objection made by the petitioner on 25.09.2020 and pass orders within the time frame fixed by this Court.

2. Heard Mr.R.L.Dhilipan Pandian, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Government Advocate appearing for the respondents.

3. It is seen from records that there is already a substantial suit filed in O.S.No.245 of 2020 for the relief of declaration and for partition and the same is pending on the file of the Sub Court, Thirumangalam. In the meantime, an attempt was made by the rival parties to alienate the property. Therefore, an objection was given by the petitioner before the second respondent on 25.09.2020. Since the same was not considered, the present Writ Petition has been filed before this Court seeking for appropriate directions.



4. The petitioner having filed a substantial suit before a competent Civil Court, can seek for an appropriate prohibitory order only before the same Court. A Writ Petition cannot be moved for this purpose and obviously, the second respondent cannot consider the objection merely due to the pendency of the suit and since, no interim orders having been passed in favour of the petitioner.

5. In view of the above, it is left open to the petitioner to work out his remedy in the pending suit and no further orders can be passed in this Writ Petition.

6. This Writ Petition stands dismissed accordingly. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg

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 District Registrar,
Registration Department,
Madurai District.
2. The Sub-Registrar,
Chekkanurani Sub-Registrar Office,
Madurai District.
3. The Sub-Registrar,
Batlakundu Sub-Registrar Office,
Dindigul District.

+1 CC to M/s.SPL GP (SR-22656[F] dated 15/07/2021)

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