



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.12.2021

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.21551 of 2021

WEB COPY

T.Balasubramanian

... Petitioner

Vs.

1.The District Registrar,
Madurai South,
No.17, Palace Road,
Madurai-625 001.

2.The Sub Registrar,
Thirupparamkundram Sub Registrar Office,
Madurai- 625 005.

3.D.Maniraj

4.M.Mahalakshmi

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the second respondent herein to consider the petitioner's representation dated 18.11.2021 and to desist from in any manner dealing with the property in RE-Survey No.45/1A1 situated at Nilaiyur Bit-I Village, Thirupparankundram Taluk, Madurai District, purchased and registered in the name of third respondent vide document No.2358/2021, and not to entertain any application of whatever nature, and / or registering any document presented to them by 3rd respondent or any other person whomsoever, to alienate the subject property be it, by way of Sale, Mortgage, Bequest, Gift, or any other manner whatsoever.

For Petitioner : Mr. G.Sathish

For R1 and R2 : Mr.N.Satheesh Kumar
Additional Government Pleader

ORDER

This petition has been filed in the nature of Writ of Mandamus, seeking a direction against the second respondent /the Sub Registrar, Thirupparamkundram Sub Registrar Office, Madurai, to consider a representation dated 18.11.2021 and to desist from in any manner, dealing with the property in R.S.No.45/1A1 in Nilaiyur Bit-I Village, Thirupparankundram Taluk, Madurai District.



2.The owner of the property is the third respondent. The petitioner claims that he is an agreement holder. However, no agreement has been produced before this Court. It is mandatory that every agreement of sale should be registered. The petitioner claims there was no agreement. He claims he has paid part consideration. He claims that he is in possession of the title deeds. The petitioner had given representation to the Registrar not to register a document.

3.The second respondent has a duty to register any document which is lawfully presented with appropriate stamp duty and registration charges. The petitioner cannot seek an injunction calling upon the Sub Registrar not to register any document. The petitioner has to establish his rights in manner known to law. The Writ Court cannot grant any relief to the petitioner.

4.Accordingly this Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar (CS-I)

// 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 District Registrar,
Madurai South,
No.17, Palace Road, Madurai-625 001.

2.The Sub Registrar,
Thirupparamkundram Sub Registrar Office,
Madurai- 625 005.

+1 CC to M/s.A.KARTHIK, Advocate (SR-37721[F] dated 08/12/2021)
+1 CC to M/s.SPL GP (SR-37913[F] dated 09/12/2021)

W.P (MD) No.21551 of 2021
07.12.2021

RD(21.12.2021) 2P 5C

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