

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.Nos.11490 of 2011 & 29914 of 2013
and
W.M.P.No.1 of 2013

Yashumathi H. Doshi ...Petitioner in W.P.No.11490 of 2011

M/s.Doshi Developers and Builders Pvt. Ltd.,
Rep. by its Director Mehul H.Doshi,
No.69 A, Landons Road, Kilpauk,
Chennai - 600 010.

... Petitioner in W.P.No.29914 of 2013

Substituted as per order dated 07.11.2019 made in W.M.P.No.22327
of 2019 in W.P.No.29914 of 2013.

Vs.

1. The Inspector General of Registration,
Santhome High Road,
Chennai - 600 028.
2. The Sub Registrar,
Sub Registrar Office,
Villivakkam, Chennai - 600 049.
3. Dharma Thoppu Trust /Arakkattalai,
Rep. by its Managing Trustee R.Jayalakshmi,
W/o.S.Ranga Reddy,
No.265, M.T.H.Road, Villivakkam,
Chennai - 600 049.

4. S.Saraswathi

5. J.Karthika

... Respondents in both Wps

Prayer in W.P.No.11490 of 2011 : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to delete and remove the entries No.10/2009 and 11/2009 dated 02.07.2009, pertaining to the registration of decree and judgment passed in C.S.No.968 of 2007 dated 14.08.2008 on the file of the Original Side of this Court.

Prayer in W.P.No.22914 of 2013 : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, calling for records relating to the registration of the Document No.10/2009 and 11 of 2009, viz., the ex-parte Judgment and decree dated 14.08.2008 in C.S.No.968 of 2007 of this Court, by the respondents 3 to 5 herein on the file of 2nd respondent herein, viz., the Sub Registrar, Villivakkam and quash the same.

For Petitioner (in both WPs)	:	Mr.AR.L.Sundaresan Senior Counsel for M/s.AL.Ganthimathi
For R1 and R2 (in both WPs)	:	Mr.Yogesh Kannadasan Special Government Pleader
For R3 to R5	:	Mr.B.Ram Prabu (in both WPs)

COMMON ORDER

Today when the matter is taken for hearing, the learned Senior Counsel appearing for the petitioner would submits that the issue arises in these Writ Petitions depends upon the outcome of the Suit filed by the parties in C.S.No.881 of 2009 as also the suit filed by the respondents 3 to 5 in O.S.No.8565 of 2019 pending on the file of XVII Additional Judge City Civil Court, Chennai. It is therefore submitted by the learned Senior Counsel for the petitioner, that based on the outcome of the Suit, this Court may permit the petitioner to work out the remedy in the manner known to law.

2. Recording the same, these Writ Petitions are disposed of with the liberty to the petitioner to file fresh petition after the disposal of the Suit in O.S.No.8565 of 2019 and C.S.No.881 of 2009. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

jd/rap

To

1. The XVII Additional Judge,
City Civil Court, Chennai.
2. The Inspector General of Registration,
Santhome High Road,
Chennai - 600 028.
3. The Sub Registrar,
Sub Registrar Office,
Villivakkam, Chennai - 600 049.

+2ccs to M/s.AL.Gandhimathi, Advocate, S.R.No.34314

+1cc to the Government Pleader, S.R.No.34864

W.P.Nos.11490 of 2011 & 29914 of 2013
and
W.M.P.No.1 of 2013

AJS(CO)
UMA(15/07/2022)