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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.4071 of 2022
W.M.P.Nos.4203 & 4205 of 2022

K.Nataraj

... Petitioner

Vs.

1. The Sub-Registrar,
O/o. Sub Registrar,
Avinashi,
Tiruppur.

2.K.Eswaramoorthy,
3.R.Maruthachalam
4.S.Kalyani
5.R.Nandhagopal
6.A.Rukmani
7.S.Padmavathi
8.M.Santhi
9.S.Thulasiammal
10.S.Parthipan
11.K.Kowsalya
12.M.Kavitha

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the order dated 26.04.2021 made in Ref.No.RFL/Avinassi/4/2021 passed by the 1st respondent quash the same and consequently direct the 1st respondent to register the sale agreement dated 01.03.2021 presented for registration by the petitioner on 23.04.2021 before the 1st respondent.

For petitioner : Mr.G.Ethirajulu

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader



ORDER

The petitioner has filed this petition to call for the records relating to the order dated 26.04.2021 made in Ref.No.RFL/Avinassi/4/2021 passed by the 1st respondent quash the same and consequently direct the 1st respondent to register the sale agreement dated 01.03.2021 presented for registration by the petitioner on 23.04.2021 before the 1st respondent.

2. Mr.Yogesh Kannadasan, learned Special Government Pleader takes notice for the respondents. In view of the limited relief sought for in this petition and on the consent expressed by the learned counsel appearing on either side, this petition is taken up for final disposal.

3. Since, no adverse order is being passed against the respondents 2 to 12, notice to the respondents 2 to 12 is dispensed with.

4. The case of the petitioner is that the petitioner had entered into a Sale agreement dated 01.03.2021 with the private respondents for the property comprised in S.No.32/1, measuring an extent of 10.04 acres situated at Karuvalur village, Avinashi Taluk, Avinashi, Tiruppur District. However, the petitioner presented the Sale Agreement on 23.04.2021 before the first respondent for registration, and the same was refused to be registered by the first respondent on the ground that an issue was pending before the competent Civil Court for the above said property. Challenging the same the present Writ Petition has been filed by the petitioner.

5. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court directs the District Judge, Tiruppur to dispose of the Suit in O.S.No.398 of 2019 and also to direct the first respondent to consider the petitioner representation dated 23.04.2021, within the time frame that may be fixed by this Court.

6. The learned Special Government Pleader appearing for the respondent submits that the petitioner's representation dated 23.04.2021 will be considered by the respondent after the disposal of the Suit in O.S.No.398 of 2019, within the time frame that may be fixed by this Court.

7. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the District Judge, Tiruppur to give priority, complete the trial and dispose of the Suit in O.S.No.398 of 2019 as expeditiously as possible.



8. Accordingly, this writ petition is disposed of with the aforesaid direction. No costs. Consequently, connected miscellaneous petitions are closed.

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Sd/-
Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Sub-Registrar,
O/o. Sub Registrar,
Avinashi, Tiruppur.
2. The District Judge,
Tiruppur.

+1cc to Mr.G.Ethirajulu, Advocate, S.R.No.13115

+1cc to the Government Pleader, S.R.No.13822

W.P.No.4071 of 2022 and
W.M.P.Nos.4203 & 4205 of 2022

NRJK (CO)
SU (17/03/2022)