



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) No.133 of 2022

and

W.M.P (MD) No.97 of 2022

WEB COPY

K.Ayyanar

... Petitioner

vs.

1.The Sub-Registrar,
Office of the Sub-Registrar,
Karivalamvanthanallur,
Tenkasi District.

2.Karthapandi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent from registering any title transaction documents of the second respondent's layout in the name and style of 'Gokul Nagar' situated in S.Nos.312, 313/1A, 313/2C and 313/2d, Naranapuram, Chathiram Kondan Village and Panchayat, Sankarankovil Union and Taluk.

For Petitioner : Mr.N.Sankar Ganesh

For R1 : Mr.S.Kameswaran
Government Advocate

O R D E R

Mr.S.Kameswaran, learned Government Advocate, takes notice for the first respondent. In view of the nature of the order now passed, notice is not directed to the second respondent.

2.I am not prepared to grant the relief sought.

3.The relief sought for is a mandamus restraining the first respondent/Sub Registrar, Karivalamvanthanallur in Tenkasi District from registering any title transaction document presented by the second respondent. The said relief cannot be granted by a Writ Court under Article 226 of the Constitution of India. If at all the petitioner claims that he has any existing right title or interest over the property for which, the document is to be submitted, then such right title and interest has to be established in a competent Civil Court and in that particular Court necessary orders of injunction has to be obtained.



4.The Writ Court can never prohibit a Government official from discharging his official duty and one of the official duties of the first respondent is to register a document, if necessary, stamp duty and registration fees are paid on the said document.

5.The writ petition, therefore, is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sjj

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

The Sub-Registrar,
Office of the Sub-Registrar,
Karivalamvanthanallur,
Tenkasi District.

+1 CC to M/s.SPL.GP (SR-980[F] dated 10/01/2022)

W.P.(MD) No.133 of 2022
06.01.2022

MGJ(24.01.2022) 2P 3C