



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.3923 of 2022

and

W.M.P. [MD]No.3373 of 2022

A.Mohammed Asanar Ambalam

... Petitioner

Vs.

1.The District Registrar,
Sivagangai Registration District,
Sivagangai.

2.The Sub Registrar,
Ilayankudi,
Sivagangai District.

3.Regina Banu

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, forbearing the first and second respondents from registering the documents with regard to Plot No.377 and 378 (Vaigai Nagar) and Survey No.414/9B situated at Sodhukudi Group, Poochiyendhal Village, Ilayankudi Taluk, Sivagangai District based on the petitioner's representation dated 03.08.2021.

For Petitioner : Mr.G.Gomathi Sankar

For Respondents 1 & 2 : Mr.J.John Rajadurai
Government Advocate

O R D E R

This writ petition has been filed for a Mandamus to forbear the first and second respondents from registering the documents with regard to Plot No.377 and 378 (Vaigai Nagar) and Survey No.414/9B situated at Sodhukudi Group, Poochiyendhal Village, Ilayankudi Taluk, Sivagangai District based on the petitioner's representation dated 03.08.2021.

2.It is the case of the petitioner that the third respondent who is the owner of the aforementioned property had entered into an agreement of sale with the petitioner agreeing to sell the property to him. However, the third respondent is now attempting to sell the very same property to a third party and under those circumstances, he has given a representation dated 03.08.2021 to the official respondents to forbear them from registering any document presented



by the third respondent for registration.

3. Heard Mr.G.Gomathi Sankar, learned counsel appearing for the petitioner and Mr.J.John Rajadurai, learned Government Advocate, who accepts notice for the respondents 1 and 2.

WEB COPY

4. The relief sought for in this writ petition is a personal dispute between the petitioner and the third respondent and no way the first and second respondents are involved in the said dispute. If at all the petitioner is having any grievance as against the non-registration of the sale deed by the third respondent in his favour pursuant to an agreement of sale, his remedy is to approach the Civil Court and not by filing a writ petition under Article 226 of the Constitution of India.

5. Accordingly, this writ petition is disposed of by granting liberty to the petitioner to approach the Civil Court to redress his grievance as prayed for in this writ petition. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

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,
Sivagangai Registration District, Sivagangai.

2. The Sub Registrar,
Ilayankudi, Sivagangai District.

+1 CC to M/s.SPL GP (SR-10155[F] dated 04/03/2022)

+1 CC to M/s.G.GOMATHI SANKAR, Advocate (SR-9829[F] dated 03/03/2022)

ORDER MADE IN

W.P. [MD]No.3923 of 2022

03.03.2022

SB(CO)

TR(15.03.2022) 2P 5C

<https://hcservices.ecourts.gov.in/hcservices/>