



W.P(MD)No.12780 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

RESERVED ON : 22.08.2022

PRONOUNCED ON : 27.09.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.12780 of 2022

and

W.M.P.(MD)No.9070 of 2022

S.Sezhian

... Petitioner

Vs.

1.The Joint Sub-Registrar
Unit-II, Tenkasi,
Tenkasi District.

2.The Tahsildar,
Kadayanallur Taluk,
Tenkasi District.

3.V.S.Kamarudeen

4.Seyyad Ummu Khuldum

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to forbear the first respondent from registering or accepting any kind of document in respect of the property comprised in S.No.663/A2B and S.No.696/B1 admeasuring 29.33 cents situated at Melagaram Village, Kadayanallur Taluk, Tenkasi District.



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For Petitioner : Mr.T.Arul
for Mr.S.Balamurugan
For R1 & R2 : Mr.J.K.Jayaseelan
Government Advocate
For R3 & R4 : no appearance

ORDER

Heard the learned counsel on either side.

2. The writ petitioner had filed W.P.(MD)No.2244 of 2022 questioning the order passed by the DIG of Registration, Tirunelveli labelling the sale deed dated 14.10.2009 executed in his favour as fraudulent. The said order was set aside and the writ petition was allowed by me.

3. Though writ petition has been filed as if relief against the first respondent is sought, in substance the petitioner seeks relief only against the private respondents. Such a relief cannot be granted in writ proceedings. If the petitioner apprehends that the private respondent may engage in transactions that may cast cloud on his rights, his remedy is to move the jurisdictional civil court.

4. With this liberty to the writ petitioner, the Writ Petition is dismissed.
No costs. Consequently, connected miscellaneous petition is closed.

27.09.2022

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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