

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.15208 2022

C.Ashok

... Petitioner

Vs.

1. The District Registrar,
Office of the District Registrar,
District Court Complex,
Trichy.
2. The Sub Registrar Joint No.1,
Sub Registrar Office,
Cantonment,
Trichy.
3. The Sub Registrar,
Woraiyur Sub Registrar Office,
Woraiyur,
Trichy District.

4. D.A.Prakash

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents 2 and 3 to consider the petitioner's objections dated 03.07.2022 in letter and spirit in respect of the properties covered under Document Nos.1500 of 2019, 1501 of 2019 and Document No.7693 of 2018 on the file of the second and third respondents herein.

For Petitioner	:	Mr.S.Paul Murugesh
For Respondents	:	Mr.K.S.Selvaganesh for R2 Mr.S.K.Mani for R4

O R D E R

Heard the learned counsel on either side.

2. The property in question belonged to the fourth respondent. The petitioner claimed that there was some kind of transaction between him and the fourth respondent and that the fourth respondent had given an undertaking that he will convey the property to the writ petitioner.

3. The grievance of the petitioner is that in violation of such undertaking, the fourth respondent is now proposing to deal with the

property. The petitioner had given objection petition before the Registering Authority. He wants this Court to direct the Registering Authority to consider the same.

4. If the petitioner has any enforceable claim against the fourth respondent, the petitioner should necessarily move the jurisdictional Civil Court and obtain a restraint order. Even if the petitioner has given any objection petition before the Registering Authority, the Registering Authority cannot act on the same in absence of the Court order. Therefore, filing of the Writ Petition is misconceived. The petitioner has to establish his claim elsewhere.

5. Leaving open the other rights and remedies to the writ petitioner, this Writ Petition is dismissed. No costs.

30.08.2022

Index : Yes / No
Speaking Order : Yes / No
vji

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G.R.SWAMINATHAN, J.

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