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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.07.2022

CORAM

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

W.P.(MD).No.15292 of 2022

K.Dhamodharan ... Petitioner

Vs.

1.The District Registrar,
Palani Registration Office,
Palani,
Dindigul District.

2.The Sub-Registrar,
Guziliambarai Sub-Registration Office,
Guziliambarai Taluk,
Dindigul District.

3.Kaliyammal

4.Mariyappan ...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the second respondent in registering any document in any form or in any nature in respect of the property measuring 3 cents out of 23 cents in Survey No.188/26D situated at Palayam, Guziliambarai Taluk, Dindigul District forthwith before the conclusion as to be arrived at by the competent Civil Court with regard to title in respect of the said property in O.S.No.56 of 2019 on the file of the District Court, Dindigul.

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For Petitioner : Mr.S.Palani Velayutham
For R-1 and R-2 : Mr.J.K.Jayaseelan,
Government Advocate.

ORDER

Heard the learned counsel for the writ petitioner and the learned Government Advocate appearing for the respondents 1 and 2.

2. The case of the petitioner is that in respect of the petition mentioned property, he has already filed O.S.No.56 of 2019 on the file of the Principal District Munsif Court, Vedachandur along with others. The private respondents herein are defendants in the said suit. He therefore wants this Court to forbear the second respondent from registering any document in respect of the petition mentioned property.

3. Such a relief cannot be granted by this Court. It is for the petitioner to obtain a restraint order in the pending suit. The petitioner is permitted to file an I.A. in the pending suit and if such an I.A. is filed, the same shall be disposed of on merits and in accordance with law within a period of three (3) weeks thereafter. I make it clear that I have not gone into the merits of the matter. All the contentions of the petitioner are left open.

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4. This Writ Petition is dismissed. There shall be no order as to costs.

15.07.2022

Index : Yes / No
Internet : Yes/ No
Lm

To

1.The District Registrar,
Palani Registration Office,
Palani,
Dindigul District.

2.The Sub-Registrar,
Guziliambarai Sub-Registration Office,
Guziliambarai Taluk,
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G.R.SWAMINATHAN, J.

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