



W.P.(MD)No.17083 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.08.2022

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P.(MD)No.17083 of 2022**

Pannirselvam

... Petitioner

Vs

1.The Sub Registrar,  
Maharnonbuchavadi,  
Near Sivaganga Park,  
Thanjavur District.

2.Seethalakshmi

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the first respondent dated 28.07.2022 and quash the same and consequently direct the first respondent to register the document dated 16.06.2022 presented by the petitioner.

For Petitioner : Mr.G.Karnan

For Respondents : Mr.K.S.Selvaganesan  
Additional Government Pleader for R.1

Mr.S.Madasamy for R.2



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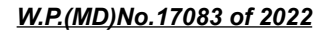
## **ORDER**

Heard the learned counsel appearing for the writ petitioner, the learned Additional Government Pleader appearing for the first respondent and the learned counsel appearing for the second respondent.

2. The petitioner is the executant of the petition mentioned sale deed. When it was presented for registration, the first respondent refused to entertain the same and issued the impugned refusal check slip. Challenging the same, this writ petition has been filed.

3. The learned counsel appearing for the second respondent submitted that the second respondent had filed the second appeal and the petitioner is creating one encumbrance after another.

4. The fact remains that as on date, the second respondent / Seethalakshmi is none other than the paternal aunt of the writ petitioner. She filed a suit against the writ petitioner and it was dismissed. Aggrieved by the same, she filed first appeal. The first appeal was also dismissed. Challenging the same, the second respondent had filed the second appeal. It is pending in SR stage . If the second respondent succeeds in the second appeal, certainly the transactions that had taken place in the meanwhile, will abide by the



5. However, the first respondent cannot cite the said pendency and decline to receive the document in question. The second respondent filed W.P(MD)No.8873 of 2002 for forbearing the registering authority from entertaining or registering any document in respect of petition mentioned properties. I dismissed the same on the ground that unless the second respondent obtains an interim order in the second appeal, the first respondent cannot be prevented from registering the document. In the case on hand also, as on date, the second respondent did not obtain any restraint order against the writ petitioner.

**02.08.2022**

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G.R.SWAMINATHAN, J.

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To

The Sub Registrar,  
Maharnonbuchavadi,  
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