

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.10214 of 2014

and

M.P(MD) No.1 of 2014

G.Sakthi Saravanan

... Petitioner

-vs-

1. The Joint Sub-Registrar – IV,
Madurai South,
Madurai.

2. M.Sethupathi

.... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the first respondent from registering any document, in respect of land in S.F.No.165/1A, 165/1B and 165/1C for an extent of 1 Acre and 32 cents of Avaniyapuram Village, Madurai South Taluk, Madurai, if it is produced by the second respondent or any other third party, except by the petitioner till the disposal of the suit.

For Petitioner : Mr.T.Vadivelan
For R1 : Mr.S.R.A.Ramachandran
Additional Government Pleader
For R2 : Mr.N.Sathish Babu

ORDER

The present writ petition has been filed seeking a writ of Mandamus, forbearing the first respondent herein from entertaining any document for registration with regard to particular survey numbers, if it is produced either by the second respondent or any other third party.

2. According to the learned counsel for the petitioner, in O.S.No.192 of 2013 filed by the petitioner for the same survey number is pending before the District Munsif Court, Madurai. Another suit in O.S.No.149 of 2013 filed by the second respondent herein, is pending before the IV Additional District Court, Madurai. It is settled proposition of law that whenever document is presented for registration, the registering authority cannot refuse to register any document except for the grounds specified under the

Registration Act. Hence, the prayer sought for in the present writ petition cannot be granted.

3. However, the petitioner is at liberty to work out his remedy in the civil suits that are pending before the District Munsif Court, Madurai and the IV Additional District Court, Madurai.

4. In view of the above observation, this Writ Petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

13 .09.2022

Index : Yes / No

Internet : Yes / No

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To

The Joint Sub-Registrar – IV,
Madurai South,
Madurai.

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R.VIJAYAKUMAR,J.

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