



W.P(MD)No.10979 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.10.2022

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD).No.10979 of 2014

K. Masanam,

: Petitioner

Vs

1. The Sub Registrar,
Melapalayam Sub Registrar Office,
Melapalayam, Tirunelveli District

2. Sivakumar,

: Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to consider the petitioner's representation, dated 23.01.2014 and consequentially not to register any document in regard to parcel of land to the extent of 10.02 Acres in S.Nos.992/1, 992/3, 993, 1010, 1011/1A situated at Tharuvai Village of Palayamkottai, within the period that may be stipulated by this Court.



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For Petitioner : Mr.Jasima Yasmin

For M/s.Ajmal Associates

For R1 : Mrs.S.Jeyapriya

Government Advocate

For R2 : No Appearance

ORDER

The present writ petition had been filed in the nature of Mandamus, seeking a direction to the respondent not to register any document with regard to certain survey numbers in Tharuvai Village, Palayamkottai.

2.According to the writ petitioner, he is the owner of the property and the second respondent is attempting to deal with the property. Hence this writ petition had been filed.

3.The Registration of a document by the first respondent herein is the statutory function and the first respondent cannot be forbearred from registering any document unless the same is prohibited under the Registration Act. Hence the prayer sought for in this petition cannot be granted.



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4.However, the learned Counsel appearing for the petitioner submits that a civil suit in O.S.No.214 of 2011 had been filed before the I Additional District Munsif Court, Tirunelveli and the said suit has ended in favour of the petitioner herein. Hence, according to the petitioner, he will work out the remedies as per the decree passed in O.S.No.214 of 2011.

5.With the said liberty to the petitioner, this writ petition stands disposed of. No costs.

18.10.2022

Index : Yes / No
Internet : Yes/ No
lr

To
The Sub Registrar,
Melapalayam Sub Registrar Office,
Melapalayam, Tirunelveli District



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R.VIJAYAKUMAR, J.

lr

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