

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2022

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.18039 of 2014

and

M.P(MD)No.1 of 2014

A.M.Virumandi

... Petitioner

Vs.

1.The Deputy Registrar,
The Combined Registrar Office,
Rajagambeeram,
Thirumogur Road,
Y.Othakadai,
Madurai-625 107.

2.The District Registrar,
The Combined Registrar Office,
Rajagambeeram,
Thirumogur Road,
Y.Othakadai,
Madurai-625 107.

3.The Sub Registrar,
Arasaradi Sub Registrar Office,
Nataraj Nagar,
Kochadai,
Madurai-625 016.

4.Kasiammal

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, forbearing the respondents from registering any sale or other transfer or property presented by the fourth respondent regarding the property in Door No. 57-A and Door No.95, in Survey Nos.3/9 and 3/5 at Pandiyarajapuram, Sivanammal Compound, Mettutheru, Bethaniapuram, Madurai-16.

For Petitioner	: M/s.M.Kannan
For R-1 to R-3	: M/s.K.S.Selvaganesan Additional Government Pleader
For R-4	: Dismissed

ORDER

The present Writ Petition has been filed seeking a Writ of Mandamus, forbearing the respondents from registering any sale deed or any other document presented by the fourth respondent herein relating to a particular property in Bethaniapuram, Madurai.

2. Admittedly, the two civil suits in O.S.No.1034 of 2014 and O.S.No.138 of 2014 are pending between the writ petitioner and the fourth respondent herein. The function of the respondent authorities

relating to registration of a document are their statutory functions and they can never be prevented by a Writ of Mandamus from registering any document. Hence, the prayer in the writ petition is not maintainable. However, the petitioner is at liberty to ventilate all his grievances in the pending civil suit. In case if the civil Court grants any order of injunction not to alienate the property, the same shall be informed to the registering authorities.

3. With the above said observations, the writ petition stands closed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

19.09.2022

Index : Yes / No
Internet : Yes / No
btr

To

1.The Deputy Registrar,
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R.VIJAYAKUMAR, J.

btr

2.The District Registrar,
The Combined Registrar Office,
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3.The Sub Registrar,
Arasaradi Sub Registrar Office,
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Order made in
W.P(MD)No.18039 of 2014

19.09.2022