



W.P(MD).No.7265 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 18.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.7265 of 2015

and

M.P(MD)No.1 of 2015

Anaglit

... Petitioner

-VS-

1. The Sub-Registrar,
Keeloor Sub Registrar Office,
Tuticorin,
Tuticorin District.

2. Aalisammal

.... 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 to register any document submitted by the second respondent pertaining to D.No.15, St.George Street, Tuticorin Town, in T.S.Ward 6, Block No.8, T.S.No.708, to an extent of 476.44 sq.ft., based on the petitioner's representation dated 24.04.2015.

For Petitioner : Mr.Ananth C. Rajesh



W.P(MD).No.7265 of 2015

For R-1 : Mr.K.S.Selvaganesan
Additional Government Pleader
For R-2 : Mr.R.Ilayaraja

ORDER

The present Writ Petition has been filed seeking for a Writ of Mandamus forbearing the first respondent herein not to register any Document relating to Door No.15, St. George Street, Tuticorin Town, in T.S.Ward 6, Block No.8, T.S.No.708, having an extent of 476.44 sq.ft.

2. According to the learned Counsel for the petitioner, by playing fraud upon the petitioner, a power deed had been obtained by one third party. Based upon the power deed, the third party has sold the property to the second respondent herein. The petitioner apprehends that the second respondent may again alienate or create an encumbrance over the property in dispute. Hence, the present Writ Petition is filed.

3. The function of the Registering Authorities is a statutory function and unless the Registration Act, prohibits any document from being registered, they cannot be prevented by way of a Mandamus from



W.P(MD).No.7265 of 2015

registering any documents. If at all the petitioner is aggrieved by the fraudulent registration of the power deed or any subsequent alienation, it is for the petitioner to ventilate his grievances before the competent Civil Court. By granting such a liberty, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

18.11.2022

Index : Yes / No
Internet : Yes / No
ebsi

To

1. The Sub-Registrar,
Keeloor Sub Registrar Office,
Tuticorin,
Tuticorin District.



WEB COPY



W.P(MD).No.7265 of 2015

R.VIJAYAKUMAR,J.

ebsi

W.P.(MD)No.7265 of 2015

18.11.2022