



W.P.(MD).No.25998 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.(MD)No.25998 of 2022

and

W.M.P(MD)No.20142 of 2022

R.Prasanna Kumar

... Petitioner

VS.

The Sub-Registrar,
West Karur Sub-Registrar Office,
Karur.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the respondent from registering any documents executed with respect to the land comprised in T.S.Nos.430, 431 and 432 of Karur Municipal Town, Karur District to an extent of 14366.5 sq.ft., based on the objection petition given by the petitioner, dated 28.10.2022.

For Petitioner : Mr.P.Deepak

For Respondent : Mr.S.R.A.Ramachandran
Additional Government Pleader



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ORDER

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This writ petition has been filed for issuance of a Writ of Mandamus, forbearing the respondent from registering any documents executed with respect to the land comprised in T.S.Nos.430, 431 and 432 of Karur Municipal Town, Karur District to an extent of 14366.5 sq.ft., based on the objection petition given by the petitioner, dated 28.10.2022.

2. The case of the petitioner is that the property in T.S.Nos.430, 431 and 432 situated at Karur Municipality Town, Karur District originally belongs to one R.Natarajan. In order to sell the property, the said Natarajan had executed a general power of attorney to one Kolanjiappan and Sureshkumar on 04.08.2011. Based on the general power of attorney and on verification of records, the petitioner and his friend intended to purchase the property in T.S.Nos.430, 431 and 432 to an extent of 14366 1/2. Further, the power of attorney holders executed a sale agreement on 20.08.2021, in which a sum of Rs.12,00,000/- was paid by the petitioner as advance. Subsequently, the petitioner has also paid the balance amount. As per the sale agreement, the power of



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attorney holders have to register the sale deed in favour of the petitioner and the co-purchaser. But the power of attorney holder are dodging the registration of the sale deed. Hence, the petitioner has filed an objection petition before the respondent not to register any sale deed pertains to the land in T.S.Nos.430, 431 and 432 situated at Karur Municipality Town, Karur District and also filed the present writ petition.

3. Heard Mr.P.Deepak, learned counsel appearing for the petitioner and Mr.S.R.A.Ramachandran, learned Additional Government Pleader appearing for the respondent.

4. The prayer sought by the petitioner cannot be considered as this is a civil matter regarding sale of a property and the petitioner cannot file writ petition to obtain an order indirectly.

5. Considering the above facts, this Court is of the view that unless and until there is an order being passed by a competent Court, the authorities will not consider. It is left open to the petitioner to approach



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the competent civil Court for redressing his grievance. Hence, this Writ
Petition is dismissed. No costs. Consequently, the connected
Miscellaneous Petition is closed.

17.11.2022

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To

The Sub-Registrar,
West Karur Sub-Registrar Office,
Karur.



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V.BHAVANI SUBBAROYAN,J.

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