



WP(MD)N.26723 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.26723 of 2022

Saravanakumar

... Petitioner

Vs

1.The District Registrar (Administration)
Office of the District Registrar,
Trichy District, Trichy.

2.The Sub-Registrar,
Thuvarankurichi,
Trichy District.

3.Nathiya

4.Gopal Gounder

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondents 1 and 2 not to register any document presented by the respondents 3 and 4 in respect of Survey Nos.313/1, 313/1B and 313/1B3 situated at Pirampatti South Village, Marungapurai (Taluk), Trichy District till the disposal of the civil suit in O.S.No.363/2004 on the file of the Principal District Munsif Court, Manapparai by considering the petitioner's representation dated 21.11.2022.

For Petitioner :Mr.V.Meenakshisundaram
for Mr.M.Pitchai Muthu

For Respondents : Mr.S.R.A.Ramachandran (for R1 & R2)
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, directing the respondents 1 and 2 not to register any document presented by the respondents 3 & 4 in respect of the properties in S.Nos.313/1, 313/1B and 303/1B3 of Pirampatti South Village, Marungapurai (Taluk), Trichy District till the disposal of the civil suit in O.S.No.363/2004 on the file of the Principal District Munsif Court, Manapparai by considering the petitioner's representation dated 21.11.2022.

2.Heard the learned counsel appearing for the petitioner and Mr.S.R.A.Ramachandran, the learned Additional Government Pleader, who takes notice on behalf of the respondents 1 and 2. Since no adverse order is going to be passed against the respondents 3 and 4, notice to them is dispensed with.

3.By consent of both sides, the writ petition is taken up for final disposal at the admission stage itself.

4. The case of the petitioner is that the subject property is the family property and there was a suit in O.S.No.363 of 2004 pending before the learned



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Principal District Munsif, Manapparai, in respect of the subject property.

During the pendency of the suit, the third respondent and her husband are illegally attempting to sell the subject property to other person. Hence, the petitioner filed a protest petition on 21.11.2022 before the second respondent not to register any document to be presented by the respondents 3 and 4. But, he did not turn. Hence, the petitioner is before this Court.

5. In similar matter, this Court already passed an order in W.P(MD).No. 25347 of 2022, dated 22.11.2022, following the same, this Court is inclined to pass the following order:

“There shall not be any alienation either by the petitioner or by the respondents 3 and 4 in respect of the subject property and all the documents registered subsequent to the filing of the suit are subject to the outcome of the civil suit. If the petitioner is interested, he can seek for early disposal of the suit in O.S.No. 363 of 2004, which is pending from the year 2004.”

6. With the above observations, this Writ Petition is disposed of. No



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28.11.2022

Index : Yes/No

Internet: Yes/No

Rmk

To

1. The District Registrar (Administration)
Office of the District Registrar,
Trichy District, Trichy.

2. The Sub-Registrar,
Thuvarankurichi,
Trichy District.

V.BHAVANI SUBBAROYAN,J.,



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Rmk

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