



W.P(MD)No.28250 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.28250 of 2022

and

W.M.P.(MD)No.22311 of 2022

R.Pandarasami

... Petitioner

Vs.

1.The District Registrar,
Registration Department,
Virudhunagar District,
Virudhunagar.

2.The Joint II Sub Registrar,
Office of the Joint II Sub Registrar,
Virudhunagar,
Virudhunagar District.

3.S.Balasubramanian

4.S.Arumugam

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to forbear the 2nd respondent from registering any document which would be executed by the 3rd and 4th respondents in respect of the land situated in S.No.263/A1, 260/1, 260/3, 262A/2, 263A/2A and 265/1, Amathur Village, Virudhunagar Taluk and District in favour of any 3rd party by considering the petitioner's representation dated 30.11.2022.



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For Petitioner : Mr.G.R.Satish
For R1 & R2 : Mr.S.Shanmugavel
Additional Government Pleader

ORDER

Heard the learned counsel appearing for the writ petitioner and the Additional Government Pleader appearing for R1 & R2.

2. It appears that the petitioner is an agreement holder. He apprehends that R3 & R4 may alienate the property and thereby, defeat his right. The petitioner has given objection before the second respondent. The petitioner wants this Court to forebear the second respondent from registering any document pertaining the property in question at the instance of the private respondents.

3. The learned counsel appearing for the petitioner reiterated all the contentions set out in the affidavit filed in support of the writ petition.

4. I am not persuaded by the said submission. As rightly pointed out by the learned Additional Government Pleader, the petitioner will have to move the jurisdictional civil Court and seek the relief of specific performance and in that suit, he can ask for injunction against the private respondents. Without doing so, the petitioner could not have filed the present writ petition.



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5. Granting liberty to the petitioner to move the jurisdictional civil Court for appropriate relief, the Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

15.12.2022

Index : Yes / No
Internet : Yes/ No
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To

- 1.The District Registrar,
Registration Department,
Virudhunagar District,
Virudhunagar.
- 2.The Joint II Sub Registrar,
Office of the Joint II Sub Registrar,
Virudhunagar,
Virudhunagar District.



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G.R.SWAMINATHAN, J.

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