



W.P.No.13211 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2023

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.13211 of 2021

1.Latha
2.D.Krithika
3.D.Deepika
4.Keerthana @ Kavya (minor)
(4th petitioner represented by her
mother and natural guardian D.Latha) ... Petitioners
/vs/

- 1.The Inspector General of Registration,
Santhome High Road,
Mylapore, Chennai – 600 004.
- 2.The Sub-Registrar,
Gummidipoondi Sub-Registration Office,
Gummidipoondi – 601 201,Tiruvallur District.
- 3.The Sub-Registrar,
Ponneri Sub-Registration Office,
Ponneri – 601 204, Tiruvallur District.
- 4.The Sub-Registrar,
Royapuram Sub-Registration Office,
Kuralagam, Chennai – 600 108.
- 5.The Registrar,
Chennai south Joint-I,
No.9, Jeenis Road, Saidapet,
Chennai – 600 015.



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6.K.Muthusamy

7.Gowribai

8.M.Mohankumar

9.Sumathi

10.B.Geetha

11.S.Suresh

12.KM.Pravan

13.K.Ramachandra Reddy

14.P.Sulochanamma

15.N.Sridhar Reddy

16.Katta Ravikanth Reddy

17.Y.Madhusudhan Reddy

18.S.Vijayabaskar Reddy

19.D.Sathyamoorthi

... Respondents

PRAYER : The writ petition has been filed under Article 226 of the Constitution of India to issue a writ of Mandamus directing the 1st respondent to take necessary action on the representation of the 1st petitioner dated 07.01.2021 thereby directing the respondent 2 to 5 not to entertain and register any kind of document of encumbrance in respect of the property, which are subject matter of the suit, O.S.No.445 of 2019 on the file of the IV Additional District and Sessions Court, Ponneri.

For Petitioners

... Mr.V.Suriyasankar
for Mr.R.Munuswamy

For Respondent
Nos.1 to 5

... Mr.Yogesh Kannadasan
Special Government Pleader

For Respondent
Nos. 6 to 12

... Mr.T.Pandiyan

Respondent Nos.13,
14 & 16

... No appearance



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Respondent Nos.15 & 18 ... Left

For Respondent ... Mr.Ramasubramaniyan
No.17

For Respondent ... Mr.R.Ravi
No.19

ORDER

The writ petition has been filed to issue a Writ of Mandamus directing the 1st respondent to take necessary action on the representation of the 1st petitioner dated 07.01.2021 thereby directing the respondent 2 to 5 not to entertain and register any kind of document of encumbrance in respect of the property, which are subject matter of the suit in O.S.No.445 of 2019 on the file of the IV Additional District and Sessions Court, Ponneri.

2.The learned counsel appearing for the petitioners submitted that the petitioners have filed a suit in O.S.No.445 of 2019 before the Principal District and Sessions Court at Tiruvallur for declaration, Mandatory injunction, partition and separate possession. In the suit, the respondents 6



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to 19 herein are the parties to the suit and they are going on to create the 3rd party interest despite the suit is pending. Therefore, the first petitioner made a representation before the Registrar and the Sub Registrars/respondents 2 to 4 herein and they have failed to consider the same and they are going on registering the documents which are subject matter of that suit. Hence, the present writ petition has been filed.

3.The learned counsel appearing for the respondents also fairly conceded that the suit in O.S.No.445 of 2019 is pending and all the private respondents are parties to the suit.

4.I have considered the matter in the light of the submissions made by the learned counsel for the petitioners as well as the respondents and perused the materials available on record.

5.Considering the fact that the suit in O.S.No.445 of 2019 is pending from the year 2019 and the learned Principal District and Sessions Court at Tiruvallur made over the suit to the IV Additional District and Sessions



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Court, Ponneri, which is now pending, the IV Additional District and Sessions Judge, Ponneri is directed to proceed with the suit in accordance with law and dispose of the same within a period of six months from the date of receipt of a copy of this order and to file compliance report before this Court and the parties are directed to extent their fullest cooperation to complete the suit within the stipulated time. In the meantime, the respondents 2 to 5 are directed not to register any document which is subject matter of the suit properties.

6. With the above direction, the writ petition is disposed of. No costs.

7. List the matter for reporting the compliance after 6 months.

Index : Yes/No

06.11.2023

Internet : Yes/No

sms

To

1. The IV Additional District and Sessions Court,
Ponneri.

2. The Inspector General of Registration,
Santhome High Road,
Mylapore, Chennai – 600 004.



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3.The Sub-Registrar,
Gummidipoondi Sub-Registration Office,
Gummidipoondi – 601 201,Tiruvallur District.

4.The Sub-Registrar,
Ponneri Sub-Registration Office,
Ponneri – 601 204, Tiruvallur District.

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P.VELMURUGAN,J.

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