



W.P.No.34491 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2023

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.34491 of 2014

and

M.P.No.1 of 2014

S.Indira

...Petitioner

Vs.

1.The Sub-Registrar,
Sub Registrar Office,
Poonamallee,
Near Court Campus,
Tiruvallur District,
Chennai – 600 056.

2.M.Murugesan

..Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the first respondent to consider the petitioner representation dated 06.12.2014 for not to register any document in the nature of transfer by way of sale, gift, mortgage, exchange or lease with respect to the property situated in S.No.29/1A measuring 25 cents in S.No.29/1A in Poonamallee Village, Thiruvallur District.



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For Petitioner : Mr.V.Stalin
For M/s.Row and Reddy

For R1 : Mr.S.Ravichandran
Additional Government Pleader

ORDER

The relief sought for in the present writ petition is for a direction to direct the 1st respondent to consider the representation submitted by the writ petitioner on 06.12.2014.

2. The representation submitted by the writ petitioner reveals that a Civil Case in Second Appeal No.320 of 2011 was pending.

3. During the pendency of the civil dispute between the parties, any relief to redress the grievances must be sought for in the civil proceedings itself. That apart, the Sub-Registrar, during the pendency of the civil dispute, may not be in a position to decide the rights of the parties for the purpose of registration of documents. In the absence of any judicial orders from the competent Court, the Sub-Registrar may not be in a position to take an independent decision regarding the civil rights of the parties, which is admittedly subjudiced before the Court during the relevant point of time.



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4. That being the factum, the petitioner is at liberty to redress his grievances in the civil proceedings, if any pending or in the manner known to law.

5. With this liberty, the writ petition stands disposed of. No costs.
Consequently, connected miscellaneous petition is closed.

07.03.2023

Index : Yes
Speaking order: Yes/No
Neutral Citation: Yes/No
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To

1. The Sub-Registrar,
Sub Registrar Office,
Poonamallee,
Near Court Campus,
Tiruvallur District,
Chennai – 600 056.



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S.M.SUBRAMANIAM, J.

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