



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.20317 of 2023

K.Dhanalakshmi

... Petitioner

Vs.

1.The District Registrar,
Office of District Registrar,
Salai Vinayagar Temple Road,
Dharmapuri.

2.The Sub Registrar,
Paarur Village and Post,
Pochampalli Taluk,
Dharmapuri.

3.Panchalai

4.Kodeshwaran

5.Poongodi

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to consider the petitioner's objection / representation dated 27.02.2023 and direct the respondent authorities not to entertain any third party registration without conducting enquiry.



WEB COPY

W.P.No.20317 of 2



For Petitioner

: Mr.M.Sudhan
for Mr.A.Rajakumar

For R1 & R2

: Mr.D.Ravichander,
Special Government Pleader

ORDER

The relief sought for in the present writ petition is to direct the respondents 1 and 2 to consider the petitioner's objection / representation dated 27.02.2023 and direct the respondent authorities not to entertain any third party registration without conducting enquiry.

2. The registering authority is incompetent to adjudicate the disputed facts of civil rights between the parties. The Sub Registrar cannot act as a Civil Court for adjudication of disputed issues. Therefore, objections submitted by private persons cannot be entertained by the Sub-Registrar for the purpose of refusal of registration under the provisions of the Registration act. Only if an order from the competent court of law is submitted, then alone the registering authority is bound to act.



WEB COPY

3. The learned counsel for the petitioner states that a Civil Suit in O.S.No.3 of 2008 has already been instituted on the file of the Sub Court, Harur and an Interlocutory Application also has been filed.

4. That being the factum, the petitioner is at liberty to move the Civil Court for appropriate order not to incumbent the property or otherwise in the manner known to law.

5. With these observations, the writ petition stands dismissed. No costs.

11.07.2023

skr

Index : Yes

Speaking order

Neutral Citation : Yes

To

1.The District Registrar,
Office of District Registrar,
Salai Vinayagar Temple Road,
Dharmapuri.

2.The Sub Registrar,
Paarur Village and Post,
Pochampalli Taluk,Dharmapuri.



WEB COPY

W.P.No.20317 of 2



S.M.SUBRAMANIAM, J.

skr

W.P.No.20317 of 2023

11.07.2023