



WEB COPY



W.P.No.24200 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P No.24200 of 2023
and
W.M.P.No.23653 of 2023

S.Karthikeyan

...Petitioner

Vs.

1.The Sub-Registrar,
Office of the Sub-Registrar,
Pollachi,
Coimbatore District.

2. Iyappa Sangunni Kallot

3. Manjula

4. A.Kanagasundaram

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to forbear the 1st respondent from registering any document presented by the respondents 2 to 4 in respect of the land to an extent of 10,131 Sq.ft comprised in T.S.No.42/1 and 43 situated in Block No.3, Town Survey Ward No.4 of Pollachi Town, Coimbatore District till the disposal of the execution petition filed by the petitioner in E.P.No.7 of 2020 in O.S.No.571 of 2017 pending on the file of the V Additional District Judge, Coimbatore.



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For Petitioner : Mr.S.Arjun
For Respondent No.1 : Mr.D.Ravichander,
Special Government Pleader

ORDER

The relief sought for in the present Writ Petitioner is to forbear the first respondent from registering any document presented by the respondents 2 to 4 in respect of the land to an extent of 10,131 Sq.ft comprised in T.S.No.42/1 and 43 situated in Block No.3, Town Survey Ward No.4 of Pollachi Town, Coimbatore District till the disposal of the execution petition filed by the petitioner in E.P.No.7 of 2020 in O.S.No.571 of 2017 pending on the file of the V Additional District Judge, Coimbatore.

2. The relief as such sought for in the present writ petition cannot be considered by the High Court in a writ proceedings under Article 226 of the Constitution of India. The relief pertaining to the civil dispute are to be redressed through the competent Civil Court of law.

3. The learned counsel for the petitioner states that the petitioner is a decree holder and therefore, the document if any presented by the respondents

2 to 4 is to be refused. If at all, the petitioner is holding a decree, it is left open



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to him to register the same in the manner contemplated, so as to ensure that his civil rights are protected.

4. Contrarily, the High Court in a writ proceedings cannot grant any relief in the nature of an injunction, restraining the private respondents from presenting document for registration. Thus, the petitioner is at liberty to initiate all appropriate actions to establish and protect his civil rights in the manner known to law.

5. With these observations, the writ petition is stands **disposed of**. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

sha/gvn

17.08.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No

To

The Sub-Registrar,
Office of the Sub-Registrar,
Pollachi,
Coimbatore District.



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S.M.SUBRAMANIAM, J.
sha

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