



W.P.(MD)No.4532 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.4532 of 2023

Ramarathinam

... Petitioner

Vs.

1.The District Registrar,
Viruthunagar District,
Viruthunagar.

2.The Sub Registrar,
Thiruchuli,
Viruthunagar.

3.Veerapandi Thevar

4.Elangovan

5.Kannathan

... Respondents

PRAYER: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to dispose the petitioner appeal dated 09.11.2022 within a time frame fixed by this Court.



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For Petitioner : Mr.B.Vinothkumar
For R1 and R2 : Mr.S.Shanmugavel
Additional Government Pleader

ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader for respondents 1 and 2.

2.The petitioner is aggrieved by the registration of the petition mentioned sale deed. The petitioner has given an appeal before the first respondent and wants this Court to direct the first respondent to dispose of the same.

3. When the matter was taken up for hearing, the learned Additional Government Pleader for the official respondents submitted that the registration of the petition mentioned sale deed was pursuant to the decree made in O.S.No.118 of 99 on the file of the District Munsif Court, Aruppukottai. Unless the said decree is set aside in the manner known to law, the registering authority cannot be faulted for having



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registered the sale deed. The petitioner has to necessarily approach the jurisdictional civil Courts for relief. At this stage, the first respondent is not even competent to dispose of the petition mentioned appeal.

4. Granting liberty to the petitioner to move the jurisdictional civil Court this writ petition is dismissed. The learned District Munsif, Thiruchuli is directed to dispose of E.A.No.2 of 2022 in E.P.No.48 of 2005 on merits and in accordance with law within a period of three months from the date of receipt of a copy of this order. The Registry is directed to mark a copy of the order to the learned District Munsif, Thiruchuli. No costs.

02.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No

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To

- 1.The District Registrar, Viruthunagar District, Viruthunagar.
- 2.The Sub Registrar, Thiruchuli, Viruthunagar.

Copy To:



The District Munsif, Thiruchuli.

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G.R.SWAMINATHAN,J.

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