



W.P.(MD)No.6776 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.6776 of 2021

and

W.M.P.(MD).Nos.5224 & 5225 of 2021

1.AL.Lakshmanan

2.AL.Narayanan

... Petitioners

Vs.

1.The District Registrar,
Karaikudi.

2.The Joint Sub-Registrar-I,
Karaikudi,
Sivagangai District.

3.Najimuneesa Begum

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to order dated 05.03.2021 in Registration Refusal order No. 4 of 2021 P3/2021 of the 2nd respondent herein quash the same and consequently direct the 2nd respondent herein to register the pending



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document No.P3/2021 in respect of the property of an extent of 20 cents in Survey No. 363/8 of Kottaiyur Village, Karaikudi Taluk, Sivagangai District.

For Petitioners : Mr.C.Mahadevan
For R-1 & R-2 : Mr.K.S.Selva Ganesan,
Additional Government Pleader
For R-3 : Mr.K.Arunraj

ORDER

This Writ Petition has been filed challenging the refusal order passed by the second respondent through proceedings dated 05.03.2021 and for a consequential direction to the second respondent to register the pending Document No. P3/2021 with respect to the subject property.

2. Heard the learned counsel on either side.

3. The Registering Authority has refused to entertain the document based on the protest petition given by the third respondent. The second respondent found that there was already a sale deed dated 22.05.2002 and a partition deed registered as Document No.1501/2015,



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pertaining to the very same property and therefore, the partition deed that was presented for registration by the petitioner was kept as a pending document and ultimately, it was refused to be registered.

4. The reasons assigned by the first and second respondents does not suffer from any apparent illegality or perversity. The same does not require interference of this Court.

5. It is brought to the notice of this Court that a substantive suit has been filed in O.S.No.23 / 2016 before the District Munsif Court, Karaikudi. That apart, there is yet another suit filed in O.S.No.106 of 2022 before the District Munsif Court, Karaikudi. In view of the same, it will be left open to the parties to agitate their claims in the pending suits. Ultimately, subject to the result of the suits, the parties can revive their claims.

6. In the result, this Writ Petition is disposed of with a direction to the learned District Munsif, Karaikudi to dispose of the suits in O.S.No.23 of 2016 and O.S.No.106 of 2022 within a period of four (4)



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months from the date of receipt of a copy of this order. No costs.

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Consequently, connected miscellaneous petitions are closed.

15.12.2023

NCC:yes/no

Index:yes/no

Internet:yes/no

TSG

To

1.The District Registrar,
Karaikudi.

2.The Joint Sub-Registrar-I,
Karaikudi,
Sivagangai District.



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N.ANAND VENKATESH, J.

TSG

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