



W.P(MD)Nos.6675 & 14920 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)Nos.6675 & 14920 of 2023 and
WMP(MD) Nos.11249 of 2023 and 6305 of 2023

W.P(MD)No.6675 of 2023:-

Paulraj. S

... Petitioner

Vs

1.The District Registrar,
District Registrar Office,
Sivagangai,
Sivagangai District.

2.The Sub Registrar,
Sub Registrar Office,
Manamadurai,
Sivagangai District.

3.Ravisekaran,
4 Ramachandran,
5.Gurumoorthy,
6. Kumar.P.S.R,
7. Murugan.K

Respondents

W.P(MD)No.14920 of 2023:-
Ramachandran

... Petitioner

Vs



W.P(MD)Nos.6675 & 14920 of 2023

1. The Sub Registrar,
Manamadurai, Sivagangai District.

2. Paulraj

...Respondents

PRAYER in W.P(MD)No.6675 of 2023: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondent 1 and 2 to cancel the document numbers 1067/2023 dated 17.03.2023 and document No. 1068/2023 dated 17.03.2023 registered in Survey No.267/3 and 267/5 Paniganenthal Village, Mangulam Group, Manamadurai Taluk, Manamadurai Sub Register Office, Sivagangai District.

PRAYER in W.P(MD)No.14920 of 2023: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned refusal check-slip No. RFL/Manamadurai/4/2023 dated 15.06.2023 on the file of the 1st respondent, quash the same and consequently directing the 1st respondent to register the document in temporary no. TP153134205/2023 presented by the petitioner dated 15.06.2023 within the time stipulated by this Court.

For Petitioner	: Mr.H.Arumugam
For R1 & R2	: Mr.P.T.Thiraviam Government Advocate
For R3	: Mr.J.Barathan for Mr.RM.Arun Swaminathan (In WP(MD) No.6675 of 2023)



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For Petitioner : Mr.J.Barathan for
Mr.RM.Arun Swaminathan
For R1 : Mr.P.T.Thiraviam
Government Advocate
For R2 : Mr.H.Arumugam
(In WP(MD) No.14920 of 2023)

COMMON ORDER

The petitioner, Paulraj in WP(MD)No.6675 of 2023 is having a land in S.Nos.267/3, 267/5, 271/1, 271/2, 271/3,271/4,272/1,272/2 in Paniganenthal Village, Manamadurai Taluk, Sivagangai District. He has sold the land in S.No.267/3 and 267/5 to one Ravisekaran/the third respondent in WP(MD) No.6675 of 2023. While executing the sale deed in favour of the said Ravisekaran on 12.09.2012, a conditional deed was executed that on payment of Rs.25,00,000/-, the said Ravisekaran has to return the properties in favour of the petitioner Paulraj. However, this document executed by the said Ravisekaran is an unregistered document. However, the third respondent has executed a sale deed in favour of the respondents 4 to 7. Based on the unregistered conditional deed, the petitioner has raised certain objections before



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the Registering Authority not to register the documents presented by the respondents 4 to 7. However, without considering the same, the registering authority has proceeded with the registration and registered the document as Document No.1067/2023 on 17.03.2023. Therefore, Paulraj has filed WP(MD) No. 6675 of 2023 for cancelling the document No.1068/2023 dated 17.03.2023.

2.The learned counsel appearing for the petitioner submits that with regard to this issue, the petitioner in WP(MD) No. 6675 of 2023 has filed a suit in O.S.No.69 of 2021 before the Fast Track Mahila Court, Sivagangai.

3.This Court while entertaining the writ petition in WP(MD) No. 6675 of 2023 has granted an order of interim stay not to register any further documents. In view of the interim order granted by this Court in WP(MD) No.6675 of 2023, the Registering Authority has refused to register the document filed by one Ramachandran, by referring the interim order granted by this Court



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in WP(MD) No. 6675 of 2023. Therefore, the said Ramachandran has filed a separate writ petition as against the refusal slip issued by the Registering Authority on 15.06.2023 in WP(MD) No.14920 of 2023.

4.Since both the writ petitions are connected with each other, they are taken up together and disposed of by way of this common order.

5.Mr.H.Arumugam, learned counsel appearing for Paulraj has made out a case based on the document, which has been executed by Ravisekaran in favour of Paulraj on 12.09.2012. However, it is an unregistered document. By this document, the said Ravisekaran has agreed to return the property, which is the subject property of sale deed dated 12.09.2012 on payment of Rs.25,00,000/- by Paulraj within three months. It is reported that a suit in O.S.No.69 of 2021 is pending between the Ravisekaran and Paulraj before the Mahila Court, Sivagangai. The learned counsel



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further submits that I.A.No.1 of 2021 filed by Paulraj sought for an interim injunction has not been decided so far.

6.Mr.Barathan, learned counsel appearing for the respondents in WP(MD) No.6675 of 2023 and the petitioner in WP(MD) No.14920 of 2023 submits that since the conditional deed has already lapsed, Paulraj cannot maintain the case and prevent the Registrar from registering the subsequent documents, pursuant to the earlier sale deed dated 12.09.2012.

7.This Court considered the rival submissions made and also perused the materials placed on record.

8.Since it is reported that a suit in O.S.No.69 of 2021 is pending between Ravisekaran and Paulraj/the petitioner in WP(MD) No.6675 of 2023, before the Mahila Court, Sivagangai and an interlocutory application filed by Paulraj in I.A.No.1 of 2021 is also pending from the year 2021, the trial Court shall endeavour to



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conclude the suit as expeditiously as possible. The trial Court shall also conclude the proceedings in I.A.No.1 of 2021 within a period of eight weeks from the date of receipt of a copy of this order.

9.With the above directions, WP(MD) No. 6675 is disposed of. In view of the order passed in WP(MD) No.6675 of 2023, WP(MD) No.14920 of 2023 is allowed. The Sub Registrar, Manamadurai, Sivagangai District is directed to register the document presented by the petitioner in WP(MD) No.14920 of 2023/Ramachandran on 15.06.2023. No costs. Consequently, connected Miscellaneous petitions are closed.

31.07.2023

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



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To
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- 1.The District Registrar,
District Registrar Office,
Sivagangai,
Sivagangai District.
- 2.The Sub Registrar,
Sub Registrar Office,
Manamadurai,
Sivagangai District.



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B.PUGALENDHI, J.

vrn

Common Order made in
W.P(MD)Nos.6675 & 14920 of 2023 and
WMP(MD) Nos.11249 of 2023 and 6305 of 2023

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