



W.P(MD)No.8018 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.11.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.8018 of 2022

D.Sharmila

... Petitioner

Vs.

1.The District Registrar,
Registration Department,
Collectorate,
Trichy District.

2.The Sub Registrar,,
Manapparai S.R.O.,
Manapparai,
Trichy District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 1st respondent of dispose petitioner's representation dated 18.03.2022 by conducting appropriate enquiry and to pass appropriate orders to prevent further encumbrances within stipulated time fixed by this Court.



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For Petitioner : Mr.K.R.Manimaran

For Respondents : Mr.K.Balasubramani,
Spl. Government Pleader.

ORDER

Heard both sides.

2.The petitioner had already filed O.S.No.336 of 2021 on the file of the Sub Court, Manapparai seeking the relief of partition. The petitioner's apprehension is that the suit property may be alienated in the meanwhile. She has given petition before the respondent in this regard. There is no legal provision by which the respondents can take a call on the petitioner's request. Since the petitioner has already filed a suit, she can very well workout her rights in the pending suit. It is not necessary that the registering authority must be defendant in the suit. The registering authority can be the respondent in the interim application alone.



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3. Granting liberty to the petitioner to move the trial Court for interim relief in this regard, this writ petition is disposed of. I make it clear that I have not gone into the merits of the matter. No costs.

01.11.2023

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

Issue order copy on 03.11.2023.

To:-

1. The District Registrar,
Registration Department,
Collectorate,
Trichy District.

2. The Sub Registrar,,
Manapparai S.R.O.,
Manapparai,
Trichy District.



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G.R.SWAMINATHAN, J.

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