



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.11.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.9372 of 2023

Nagammal

... Petitioner

Vs.

1. The Sub Registrar,
Sub-Registrar Office,
Aravakurichi,
Karur District.
2. The Inspector of Police,
Thiruppuvanam police station,
Sivagangai District.
(R-2 is *suo motu* impleaded vide order dated 11.07.2023)
3. Kalimuthu
(R-3 is impleaded vide order dated 11.07.2023
in W.M.P.(MD)no.11882 of 2023)

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondent from registering any document with respect to the house comprised in survey No.83 situated at Aravakurichi Village, Aravakurichi Taluk, Karur District an extent of 9.79 cents divided into many plots named after "Bava Nagar", plot No.78 having an extent of 1925 sq.ft. Land, RCC roofed house with all necessary house fittings, based on the petitioner's representation dated 31.03.2023.



For Petitioner : Mr.T.A.Ebenezer
For R-1 : Mr.M.Prakash,
Additional Government Pleader.

For R-2 : Mr.A.Albert James,
Government Advocate.

For R-3 : Mr.R.Anand

* * *

ORDER

Heard both sides.

2. The petitioner wants this Court to forbear the registering authority from registering any document pertaining to the petition-mentioned land.

3. The case of the petitioner is that the contesting private respondent was her employee and that he had committed theft of valuable jewellery and that the petition-mentioned property was purchased out of their sale proceeds.

4. These are factual aspects and that cannot be gone into the writ proceedings. The complaint given by the petitioner



had already been registered as FIR and the prosecution is being conducted. The petitioner has to necessarily work out her rights elsewhere. No relief can be granted in the writ proceedings. Granting liberty to the petitioner as mentioned above, this writ petition stands dismissed. No costs.

15.11.2023

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

To:

1. The Sub Registrar,
Sub-Registrar Office,
Aravakurichi,
Karur District.
2. The Inspector of Police,
Thiruppuvanam police station,
Sivagangai District.



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G.R.SWAMINATHAN,J.

PMU

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