



W.P(MD)No.10387 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.10387 of 2023

and

W.M.P(MD)No.9194 of 2023

P.Azeethu

... Petitioner

Vs.

1.The Inspector General of Registration
Door No.100, Santhome High Road,
Foreshore Estate,
Pattinapakkam,
Chennai - 600028.

2.The District Registrar (Administration),
Madurai South.

3.The Sub Registrar
Peraiyur,
Madurai District.

4.M.Syed Mohammed Abuthahir

5.N.Ramesh



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6.K.S.Santhosh Kumar

7.Raaviya Begam

8.Batchakani

9.Parveen @ Fathima Bibi

10.Sahul Hameed

11.Maideen Pitchai

12.Fathima Bibi

13.G.Vasanthi

14.M.Arul Murugan

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the third respondent to consider the petitioner's protest petition dated 15.03.2023 and enquire the petitioner whenever any document of alienation or encumbrance is presented for registration before the third respondent.

For Petitioner : Mr.J.Bharathan

For Respondents : Mr.M.Prakash -for R1 to R3

Additional Government Pleader



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M/s.R.Rekha -for R7

M/s.Gandhi Associates

ORDER

The Writ Petition has been filed in the nature of a Mandamus seeking a direction against the third respondent/ Sub Registrar, Peraiyur, Madurai District, to consider the petition given by the petitioner on 15.03.2023 relating to registration of any document.

2. It is stated by the learned counsel for the petitioner that a Civil Suit in O.S.No.89 of 2016 is pending before the District Munsif cum Judicial Magistrate Court, Peraiyur, seeking declaratory relief and also permanent injunction. One of the injunctions sought was to restrain the defendants therein from alienating the properties.

3. The petitioner cannot file a Suit in one Court and file a Writ Petition in another Court seeking practically the very same relief.



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4. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

28.04.2023

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

RM



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C.V.KARTHIKEYAN, J.

RM

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