



W.P.(MD)No.20335 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.11.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.20335 of 2021

P.S.K.Sivakumar

... Petitioner

Vs

1.The Inspector General of Registration,
Office of the Inspector General of Registration,
Santhome High Road,
Pattinapakkam, Chennai.

2.The District Registrar,
Palayamkottai Registration District,
Palayamkottai, Tirunelveli-627 002.

3.The Sub Registrar,
Sub Registration Office,
Melapalayam,
Palayamkottai Taluk,
Tirunelveli.

4.T.Sankarappan

5.V.Balakrishnan ...Respondents
(Respondent Nos.4 and 5 are impleaded vide order of this Court dated 15.11.2023 made in W.M.P.(MD).No.18671 of 2021 in W.P.(MD).No. 20335 of 2021)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st to 3rd



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respondents to forbear any registration in connection with a land which is situated in Palayamkottai Registration District, Palayamkottai Taluk, Kulavanigarpuram Village, Ayan Punjai Survey No.109/1, admeasuring to an extent of 86 cents and to consider the petitioner's representation dated 12.10.2021.

For Petitioner : Mr.R.M.Suresh

For R-1 to R-3 : Ms.D.Farjana Ghoushia,
Special Government Pleader

ORDER

This Writ Petition has been filed for the issue of writ of mandamus directing the official respondents not to entertain any document for registration presented by the impleaded fourth respondent with respect to the subject property.

2. Heard the learned counsel on either side.

3. It is an admitted case that the petitioner is an agreement holder from the fourth respondent. The grievance of the petitioner is that the fourth respondent had collected advance amount and was attempting to cancel the agreement and sell the property to some other persons. Therefore, the petitioner made objections to the Registering Authority not to entertain any documents.



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4. In the considered view of this Court, the petitioner has to work out his remedy only before the competent Civil Court by seeking for the relief of specific performance. As an agreement holder, the petitioner cannot prevent the owner from dealing with the property by way of filing a Writ Petition. In the absence of any legal right to the petitioner, this Court cannot issue a mandamus.

5. In the result, the Writ Petition stands dismissed. No costs.

15.11.2023

NCC:yes/no

Index:yes/no

Internet:yes/no

tsg

To

1.The Inspector General of Registration,
Office of the Inspector General of Registration,
Santhome High Road, Pattinapakkam, Chennai.

2.The District Registrar,
Palayamkottai Registration District,
Palayamkottai, Tirunelveli-627 002.

3.The Sub Registrar,
Sub Registration Office,
Melapalayam,
Palayamkottai Taluk, Tirunelveli.



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N.ANAND VENKATESH, J.

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