



W.A.(MD) No.1867 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **20.10.2023**

CORAM

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**
AND
THE HONOURABLE **MR.JUSTICE V.LAKSHMINARAYANAN**

W.A.(MD) No.1867 of 2023
and C.M.P.(MD) No.14264 of 2023

M.Muthurathinavel

... Appellant/Petitioner

-Vs.-

1. The District Registrar,
Ramanathapuram,
Ramanathapuram District.

2. The Sub-Registrar,
Sayalkudi, Kadaladi Taluk,
Ramanathapuram District.

3.Kandasamy

4.K.Thavamurugan

5.K.Thanigaivel

6.K.Manikandan

7.The Tahsildar,
Kadaladi Taluk,
Ramanathapuram District.

... Respondents/Respondents



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PRAYER:- Writ Appeal filed under Clause 15 of Letters Patent Act, to set aside the order dated 01.09.2023 made in W.P.(MD)No.19515 of 2021 on the file of this Court.

For Appellant : Mr.K.C.Ramalingam

For Respondents : Mr.S.P.Maharajan
Special Government Pleader
For R1, R2 and R7

J U D G M E N T

(Judgment of the Court was delivered by **S.M.SUBRAMANIAM, J.**)

The Writ Proceedings was instituted by the appellant seeking the relief to forbear the respondents 1 and 2 from entertaining any sale deed from any one including the respondents 3 to 6 or power of attorney to alienate the property in respect of the property in Survey Nos.315/3A2 and 315/3A3 in Patta No.11709, Sayalkudi, Revenue Firka, Kadaladi Taluk, Ramanathapuram District, till concluding the enquiry pending before the 1st respondent.

2. Learned counsel appearing for the appellant made a submission that after arguing the matter before the learned Single Judge, he made a request for withdrawal of the Writ Petition and the relief was declined.



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3. Even otherwise, the relief sought for in the Writ Proceedings to forbear the respondents 1 and 2 from entertaining any sale deed or power of attorney to alienate the property cannot be granted in a Writ Proceedings. Such relief involves disputed issues of civil nature between the parties and therefore, the parties are to be relegated to approach the competent civil Court of law. Since the learned counsel for the appellant now pleads before us that the parties may be relegated to approach the civil Court of law, no further adjudication is required and liberty is granted to approach the civil Court of law.

4. However, the order of the learned Single Judge stands confirmed and the Writ Appeal is dismissed. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

[S.M.S.J.] & [V.L.N.J.]
20.10.2023

NCC :Yes/No
Index :Yes/No
SJ

To

1. The District Registrar,
Ramanathapuram,
Ramanathapuram District.



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S.M.SUBRAMANIAM, J.
AND
V. LAKSHMINARAYANAN, J.

SJ

2. The Sub-Registrar,
Sayalkudi, Kadaladi Taluk,
Ramanathapuram District.
3. The Tahsildar,
Kadaladi Taluk,
Ramanathapuram District.

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