



W.P(MD)No.24248 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.10.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.24248 of 2023

T.M.Nowsadh Ahemad

... Petitioner

Vs

1.The Director of Town and Country Planning,
Directorate of Town and Country Planning,
No.807, Anna Salai,
Chennai – 2.

2.The Assistant Director,
O/o.the Town and Country Planning Office,
Theni, Theni District.

3.The Sub Registrar,
O/o.the Sub Registrar Office,
Thenkarai,
Periyakulam,
Theni District.

4.The Executive Officer,
Thenkarai Town Panchayat,
Thenkarai,
Periyakulam Taluk,
Theni District.

5.R.Chellapandi



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6.R.C.Prabakaran

... Respondents

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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the third respondent from registering any plots presented by the respondents 5 and 6 in respect of plots situated in Survey Nos. 2060/1, 2060/2 and 2061/1 to an extent of 1 Acre and 62 Cents at Thenkarai Village, Periyakulam Taluk, Theni District by considering the petitioner's representation dated 30.08.2023 within a period stipulated time by this Court.

For Petitioner : Mr.V.Karthikraja

For Respondents : Mr.M.Siddharthan
Additional Government Pleader
for R.1 to R.4

ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the official respondents.

2. The petitioner claims that he is having a sale agreement in his favour and he has paid substantial sum of Rs.4,50,000/- (Rupees Four Lakhs Fifty Thousand only) to one Manikandan who is the power agent of the respondents 5 and 6. To enforce the agreement, the petitioner has already filed O.S.No.4 of 2022 on the file of Sub Court, Periyakulam. If any transaction takes place in



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the meanwhile involving the suit property, it will be clearly hit by lis pendens.

Any purchase pendente lite is bound by the decree if passed in favour of the petitioner. Therefore, the petitioner need not have any cause for worry. In any event, he can file an Interlocutory Application before the trial Court to restrain the defendants from alienating the property. If such an Interlocutory Application is filed, it shall be disposed of by the learned trial Court as expeditiously as possible.

3. With this liberty to the petitioner to pursue his remedy in the pending suit, this writ petition is disposed of. There shall be no order as to costs.

12.10.2023

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

MGA

To

1.The Director of Town and Country Planning,
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Chennai – 2.

2.The Assistant Director,
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MGA

3.The Sub Registrar,
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Theni District.

4.The Executive Officer,
Thenkarai Town Panchayat,
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