



W.P(MD)No.26583 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.11.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.26583 of 2023

Ganesh

... Petitioner

Vs.

1.The District Registrar,
Combined Registration Office,
Thoothukudi District.

2.The Sub-Registrar,
Thoothukudi Keelur Sub-Registrar Office,
Combined Registration Office,
Thoothukudi District.

3.Senthoo Pandi

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to forbear the respondents No. 1 and 2 from registering any document on the property in Survey No.151/3A for an extent of 4 cents situated at Maapillaiurani Village, Thoothukudi Taluk by considering the petitioner's representation dated 27.09.2023.

For Petitioner : Mr.S.Mandhiralingeswaran

For Respondents : Mr.K.Balasubramani
Special Government Pleader for R1 & R2



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ORDER

Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the official respondents. Issuance of notice to the third respondent is dispensed with.

2. The petitioner has filed O.S.No.251 of 2023 on the file of the Sub Court, Thoothukudi for specific performance. The petitioner filed IA to restrain the fourth respondent from alienating the property. Parallely, he also filed a protest petition before the second respondent. This writ petition has been filed for forbearing the second respondent from registering any document in respect of the petition mentioned property.

3. Such a relief cannot be granted. The petitioner has to necessarily pursue his remedy only in the pending civil suit. In my view, the petitioner need not have any cause for worry. Even if the third respondent alienates the property, alienation will be subject to the eventual decree that will be passed in the suit.

4. The Writ Petition is dismissed. No costs.

07.11.2023

Index : Yes / No
Internet : Yes/ No
rmi



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To

- 1.The District Registrar,
Combined Registration Office,
Thoothukudi District.

- 2.The Sub-Registrar,
Thoothukudi Keelur Sub-Registrar Office,
Combined Registration Office,
Thoothukudi District.



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G.R.SWAMINATHAN, J.

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