



W.P(MD)No.27119 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 10.11.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.27119 of 2023

and

W.M.P(MD)No.23279 of 2023

M.Asan Kani

... Petitioner

Vs.

1.The Sub Registrar,
Sub Registrar Office,
Melapalayam,
Tirunelveli District.

2.Sahul Hameed Usman

3.Mohammed Iqbal

4.Syed Ali Akbar Badhusa

5.Abdhul Kapoor

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the first respondent from registering any document presented by the respondents



W.P(MD)No.27119 of 2023

2 to 5 herein pertaining to land with building bearing Door No. 134A and 134B to an extent of 1384 Sq.Ft in T.S.No. 4100 part and T.S.No. 1750/2A in Ward No.4 and 5 in Block No.47 in Melapalayam Zone, Palayamkottai Taluk, Tirunelveli District by considering petitioner's representation by way of objection dated 31.10.2023 within a time stipulated by this Court.

For Petitioner : Mr.S.Vashik Ali

For Respondents : Mr.S.RA.Ramachandran
Additional Government Pleader for R.1

ORDER

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

2. The petitioner has to necessarily secure the relief now sought for in the pending civil suit. It is seen that the petitioner has already instituted O.S.No.426 of 2021 on the file of the Sub Court, Tirunelveli. The petitioner is permitted to file an Interlocutory Application in the said suit. The petitioner shall array the registering authority as one of the respondents even if he is not defendant in the main suit. If such



W.P(MD)No.27119 of 2023

Interlocutory Application is filed, it shall be disposed of as expeditiously as possible as per law.

3. With this liberty to the petitioner, this writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

10.11.2023

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

Note: Issue order copy on 15.11.2023.

To

The Sub Registrar,
Sub Registrar Office,
Melapalayam,
Tirunelveli District.

Copy to:

The Sub Court,
Tirunelveli.



WEB COPY



W.P(MD)No.27119 of 2023

G.R.SWAMINATHAN, J.

MGA

W.P(MD)No.27119 of 2023

10.11.2023