



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 07.12.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.28917 of 2023 AND
W.M.P.(MD)No.24946 of 2023

V.Jeyaraj

... Petitioner

Vs.

1. The District Registrar(Administration),
O/o.District Registrar(South),
Madurai, Madurai District.

2. The Sub Registrar,
O/o.the Sub Registrar,
Thirumangalam, Madurai District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, calling for the records pertaining to the impugned order of the 2nd respondent dated 16.11.2023 and to quash the same and further directing the respondents not to make any registration with regard to the lands in S.Nos.135/6, 188/1B, 21/11 I, 190/4, 29/4A, 31/1, 200/4A1, 195/1B, 172/7B, 203/2, 192/1B, 183/1C, 183/1B2, 25/1, 182/1, 9/2, 8/1, 170/2, 208/4, 31/2, 16/1B, 132/5, 198/2, 201/1A, 208/3, 144/3, 144/4, 144/1, 158/2B, 167/2B2, 21/1K, 213/5, 214/2, 213/2B, 213/3A, 197/1B, 201/1B, 27/4A, 12/1, 158/2C, 158/2D, 158/2E, 158/2F, 213/4, 214/3, 218/1, 218/2, 219/4, 220/1, 32/1B, 46/1, 70/3C,



70/3B, 28/4C, 32/3B, 21/1N, 21/1F, 21/1G, 23/2, 26/1H, 30/2, 32/2, 32/1C, 32/3A2, 35/3C, 160/2, 160/3, 160/4, 160/5, 160/6B, 212/5, 182/1, 29/4B, 137/4, 43/1A, 26/1H, 206/4A, 208/4, 30/2, 146/3, 172/7B, 176/2A, 176/4B, 177/3, 181/1B, 183/1B2, 192/1B, 193/2B, 193/4A1, 20/5B, 202/4B2, 21/1B, 21/1E, 21/1L, 21/1L, 21/1 O, 215/2, 217/5E, 217/6A, 26/1A, 32/3A2, 9/1B2, 21/2B, 25/2B, 186/1A2, 195/1B at Mathppanoor Village, Thirumangalam Taluk, Madurai District and S.No.90/8 at Mangalrev Village, Thirumangalam Taluk, Madurai District.

For Petitioner : Mr.C.M.Mari Chelliah Prabhu

For R-1 & R-2 : Mr.K.Balasubramani,
Special Government Pleader.

* * *

ORDER

Heard both sides.

2. The petitioner is said to have advanced a substantial sum towards in respect of the petition-mentioned properties. The petitioner's case is that the other party is likely to register the document covering the said land by excluding the petitioner. The petitioner also would allege that the original documents are with him and that the other party



had made it appear that they are missing and by issuance of non-traceable certificate, they are attempting to register the documents.

3. The registering authority called upon the petitioner to move the jurisdictional civil Court. Questioning the said stand of the registering authority, the present writ petition came to be filed.

4. After hearing both sides, I am more than satisfied that the second respondent rightly relegated the petitioner to move the jurisdictional civil Court. I wanted to know from the petitioner under what provision of law, he is seeking relief. In fact in such matters, restraint order can be passed only by the jurisdictional civil Court. Granting such liberty to the petitioner, the impugned order is sustained. This writ petition stands dismissed.

5. The petitioner states that within two weeks from the date of receipt of a copy of this order, the petitioner will file a civil suit. If such suit is filed, the same shall be



numbered immediately. If an IA is filed, the same shall be disposed of as expeditiously as possible.

6. With this liberty to the petitioner to pursue the civil remedy and the direction to the learned trial Judge, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

07.12.2023

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

PMU

To:

1. The District Registrar(Administration),
O/o.District Registrar(South),
Madurai, Madurai District.
2. The Sub Registrar,
O/o.the Sub Registrar,
Thirumangalam, Madurai District.



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