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W.P.No.6688 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No. 6688 of 2024

M/s.Aishwarya Properties Pvt. Ltd.,
Represented by its Vice President,
Legal and Operations,
Mr.Soundrapandian D,
S/o.Duraipandian,
Newry Grandeur, No.19 (Old No.11),
B Block, 2nd Avenue,
Anna Nagar East, Chennai – 600 102.

... Petitioner

versus

1.J.Rangarajan
2.V.N.Sukanya
3.The Registrar – SRO Avadi,
Anna Nagar Main Road,
Modern City,
Deen Dayalan Nagar,
Pattabiram, Chennai – 600 054.

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, against the third respondent to consider the representation letter dated 16.11.2023 submitted before the third respondent by the petitioner seeking to withheld execution of any deeds in relation to the property which is in the name of 1st and 2nd respondents, registered as



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Construction agreement No.7812 of 2019 dated 23.05.2019 and Sale Deed No.7813 of 2019 dated 03.06.2019 executed before the third respondent in favour of 1st and 2nd respondents.

For Petitioner : Ms.Sumathi Lokesh
For Respondents : Mr.B.Vijay
Additional Government Pleader
for R3

ORDER

Mr.B.Vijay, learned Additional Government Pleader accepts notice for the third respondent. Since this writ petition is being disposed of without passing any adverse orders against respondents 1 and 2 affecting their interest, notice to those respondents is dispensed with.

2. This writ petition has been filed seeking for issuance of a writ of mandamus, directing the third respondent to consider the representation of the petitioner dated 16.11.202, in and by which, the petitioner/Company sought to withheld the execution of any deeds with respect to the property which is in the name of first and second respondents, registered as Construction Agreement No.7812 of 2019 dated 23.05.2019 and Sale Deed No.7813 of 2019 dated 03.06.2019 executed before the third respondent in



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favour of respondents 1 and 2.

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3. The learned Additional Government Pleader appearing for the third respondent submitted that the subject matter is purely a loan transaction between two private parties. He further submitted that since there is no order of attachment or no order of injunction from the competent Court, the third respondent is nothing to do with the transactions between the petitioner and the private respondents 1 and 2 herein and therefore, the request of the petitioner cannot be considered.

4. It is seen from the affidavit that the matter pertains to a loan transaction between two private individuals, for which the petitioner cannot approached this Court by invoking Article 226 of the Constitution of India. Therefore, this Court is not inclined to grant the relief sought for by the petitioner. However, the petitioner is at liberty to work out his remedy in the manner known to law before the competent forum.

5. The writ petition is dismissed, accordingly. There shall be no order as to costs.

Pg.Nos.3/5



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Index: Yes/No
Speaking Order : Yes/No
Neutral Citation Case : Yes/No
ms

To

The Registrar – SRO Avadi,
Anna Nagar Main Road,
Modern City,
Deen Dayalan Nagar,
Pattabiram, Chennai – 600 054.

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P.VELMURUGAN, J.
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