



W.P.No.10757 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :23.04.2024

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.10757 of 2023

Dhanalakshmi

... Petitioner

Vs.

The Sub Registrar,
Tirukoilur.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records of the respondent in **பதிவு மறப்பு வரிசை எண்.RFL/திருக்கோயிலூர்/புத்தகம்-2 /2/2023** dated 17.02.2023 and quash the same and thereby direct the respondent to register the sale deed dated 16.11.2021 executed by the petitioner in favour of Kuppusamy son of Veeraragavan in respect of property in Dry S.No.151/2 out of 50 cents - 1625 Sq.ft at Aalur Village, Tirukoilur Taluk, Kallakurichi District and also to release the same forthwith to the petitioner.

For Petitioner : Mr.N.Suresh

For Respondent : Mr.B.Vijay, AGP



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ORDER

This Writ Petition has been filed for the issuance of a Writ of Certiorari, to call for the records of the respondent in **பதிவு மறுப்பு வரிசை எண்.RFL/திருக்கோயிலூர்/புத்தகம்-2/2/2023** and quash the same and thereby direct the respondent to register the sale deed dated 16.11.2021 executed by the petitioner in favour of Kuppusamy son of Veeraragavan in respect of property in Dry S.No.151/2 out of 50 cents - 1625 Sq.ft at Aalur Village, Tirukoilur Taluk, Kallakurichi District and also to release the same forthwith to the petitioner.

2. Heard Mr.N.Suresh, learned counsel for the petitioner and Mr.B.Vijay, learned Additional Government Pleader for the respondent.

3. On perusal of the impugned checkslip, it would indicate the sale deed has not been registered merely on the ground that a suit is pending in O.S.No.44 of 2015 on the file of the Principal District Munsif, Tirukoilur. This Court is of the view that unless there is an order of injunction, mere pendency of the suit will not be a bar for transaction, however, the same is subject to the result of the suit. In such view of the



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matter, the impugned order is liable to be set aside

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4. With the above observations, this writ petition is allowed and the impugned order dated 17.02.2023 is set aside. There shall be a direction to the respondent to register the sale deed dated 16.11.2021 presented by the petitioner. Such exercise shall be completed within a period of one month from the date of receipt of a copy of this Order. No costs.

Index : Yes /No
Speaking / Non-speaking
Neutral Citation : Yes / No
gsk

23.04.2024

To
The Sub Registrar,
Tirukoilur.



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N.SATHISH KUMAR, J.

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