



WP.No.10871 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **22.04.2024**

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.10871 of 2024

S.Kanmani

.. Petitioner

Versus

1. The Sub Registrar,
Pallipattu, Thiruvallur District.

2. T.S.Velusamy

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the first respondent from registering sale deed in respect of lands in Survey No.128/1B, New Survey No.240/13, Punjai Survey No.111/1-0.08.5, Survey No.111/2, 119/3 in Pothapurettai Village, Pallipattu Taluk, Thiruvallur District in favour of any third party.

For Petitioner : Mr.G.Appavu

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader – R1



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ORDER

With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition is filed to forbear the first respondent from registering sale deed in respect of lands in Survey No.128/1B, New Survey No.240/13, Punjai Survey No.111/1-0.08.5, Survey No.111/2, 119/3 in Pothapurettai Village, Pallipattu Taluk, Thiruvallur District in favour of any third party.

3. Heard learned counsel for the petitioner and the learned Special Government Pleader appearing for the first respondent and perused the materials available on record.

4. The case of the petitioner is that the subject property is the ancestral property of the petitioner. While so the second respondent is attempting to sell the ancestral house property under an invalid partition deed 29.02.2012 to the third party. In this regard a suit in O.S.No.110 of 2016 is pending on the file of the District Munsif Court, Pallipattu and mother of the petitioner has also



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filed a protest petition before the first respondent. But no action has been taken by he first respondent. Hence, the present Writ Petition.

5. At the out set this Court is of the view that such a direction cannot be issued. Merely because, the co-owner executed any document, the same cannot be said that the said document is is not valid in the eye of law. However, any transaction during the pendency of the suit is subject to the result of the suit. Hence, I do not find any merits in this Writ Petition.

6. Accordingly, this writ petition is dismissed. No costs.

22.04.2024

vrc

Index :Yes/No

Internet :Yes/No

Neutral Citation : Yes/No

To,

The Sub Registrar,
Pallipattu, Thiruvallur District.



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N. SATHISH KUMAR, J.

VRC

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