



WP.No.10071 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.10071 of 2024 & WMP.No.11082 of 2024

T.Sathiyamoorthy

.. Petitioner

Versus

1. The Sub Registrar,
Sub Registrar Office, Tiruppur, Tiruppur District.

2. Sai Rajesh

3. Chandrika

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first Respondent to consider and dispose petitioner's representation dated 09.02.2024 to not register any documents in the subject property situated at KVP Lay out, Ward No.3, Block No.2 T.S.No.171/1 in R.S.No.113 of Alankattu Village, Tiruppur District.

For Petitioner : Mr.B.Mohan

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



WP.No.10071 of 2024

ORDER

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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 direct the first Respondent to consider and dispose petitioner's representation dated 09.02.2024 to not register any documents in the subject property situated at KVP Lay out, Ward No.3, Block No.2 T.S.No.171/1 in R.S.No.113 of Alankattu Village, Tiruppur District.

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 petitioner is the absolute owner of the subject property. On the representation of the second respondent that he will advance loan, the petitioner has executed a sham and nominal sale deed in favour of the second respondent. But the possession was not handed over. The second respondent by forging the said sale deed had executed a sale deed in favour of the third respondent. In this regard, the petitioner had also preferred a criminal complaint before the police. However, due to political



WP.No.10071 of 2024

influence of the second and third respondents, the same has been closed.

Taking advantage of the closure report, the second and third respondents are trying to make further encumbrances in the property. Therefore, the petitioner has given a representation dated 09.02.2024 to first respondent not to register any document in respect of the subject property and the same has not been considered till date. Hence, the present Writ Petition.

5. The representation of the petitioner itself indicate that the property has been dealt by the petitioner in favour of the second respondent in the year 2007. Even assuming that the contention of the petitioner is true, the remedy of the petitioner is to file necessary suit within a period of three years. Without taking such a recourse, one cannot seek omni bus direction not to register any document, which cannot be granted. Hence, I do not find any merits in this Writ Petition.

6. Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

15.04.2024



WP.No.10071 of 2024

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Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No

To,

The Sub Registrar,
Sub Registrar Office, Tiruppur, Tiruppur District.



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WP.No.10071 of 2024

N. SATHISH KUMAR, J.

VRC

W.P.No.10071 of 2024

15.04.2024