



WEB COPY



WP.No.11538 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.11538 of 2024
and W.M.P.No.12636 of 2024

R.Amaran

.. Petitioner

Versus

1.The Inspector General of Registration
District Registrar
100, Santhome High Road
Mullima Nagar, Annamalai Puram
Chennai – 600 028

2.The District Registrar – Joint I
Collectorate Campus
Villupuram – 605 602

3.The Sub Registrar
Hospital Road
Thirukovilur – 605 757
Kallakurichi District

4.R.Pandurangan

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd respondent not to register the property comprised in Survey No.234 as per the FMB Sketch the survey No.234/12 admeasuring an extent of 885 sq.ft situated at Old Door No.37, North Street, Thirukovillur Kallakurichi District in whatsoever manner to any third party or any other persons based on the Deed of partition dated 19.5.1982 Judgement and Decree dated 04.08.2009 passed in O.S. No.36 of 2004, the pendency of CRP No.2600 of 2023 before the Honble High Court of



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Madras and based on the representation dated 11.07.2022.

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For Petitioner : M/s.A.V.Bharathi

For Respondents : Mr.P.Anandha Kumar for R1 to R3
Government Advocate

Mrs.A.Jagadeeswari for R4

ORDER

This writ petition has been filed seeking for a direction to the respondents not to register the document.

2. It is the case of the writ petitioner that subject property was a common property allotted through compromise. Whereas, the private respondent claiming to be the absolute owner of the property is trying to alienate the property. Therefore, seeks a direction to the registering authorities not to register the document.

3. Heard both sides and perused the materials available on record. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.



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4. What has to be achieved before the Civil Court is sought to be achieved by way of a writ petition. When the disputed facts with regard to the title is very much lingering between the parties, as a matter of right, writ petition cannot be filed seeking such omnibus directions. If at all the petitioner has right over the property, it is for him to approach the civil Court and seek a relief against the so-called individual not to alienate the property. The officials cannot be restrained by general directions.

5. Such view of the matter, I do not find any merits in the case and this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

20.06.2024

dhk

Index : Yes/No

Neutral Citation : Yes/No

To

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2.The District Registrar – Joint I
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