



WP.No.14219 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **04.06.2024**

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.14219 of 2024

Narayana Reddy

.. Petitioner

Versus

1. Inspector general of registration,
Registration Department,
No.100, Santhome Highways, Chennai – 600 028.

2. The Sub Registrar,
Sub Registration Office,
No.1 SRO Office Street,
Denkanikottai Hosur – 635 107, Krishnagiri District.

3. Bhagyamma @ Bhanumathi

4. S.Geetha

5. S.Kanchana

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 and 2 to consider the representation submitted by the petitioner on 08-05- 2024 to stop the illegal Registration of documents in favour of the Respondents 3 to 5 with regard to the properties situated in Survey Nos.227 / 1A 227/1B 227/3 and No.112/1 situated in Nagasandiram Village Kuppatti Taraff Denkanikottai Taluk Hosur till the disposal of the original Suit filed in O.S. No.38 of 2023 pending before the District Munsiff Denkanikottai filed by the petitioner for partition of his ancestral property.



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For Petitioner : Mr.Sheik Thanveer Ahamed

For Respondents : Mr.L.S.M.Hasan Fizal
Additional Government Pleader – R1 & R2

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 direct the respondents 1 and 2 to consider the representation submitted by the petitioner on 08-05- 2024 to stop the illegal Registration of documents in favour of the Respondents 3 to 5 with regard to the properties situated in Survey Nos.227 / 1A 227/1B 227/3 and No.112/1 situated in Nagasandiram Village Kuppatti Taraff Denkanikottai Taluk Hosur till the disposal of the original Suit filed in O.S. No.38 of 2023 pending before the District Munsiff Denkanikottai filed by the petitioner for partition of his ancestral property.

3. Heard learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents and perused the materials available on record.



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4. The case of the writ petitioner is that since there is a dispute between the legal heirs, a suit has been filed for partition before the District Munsif Court, Dhenkanikottai. While so the respondents 3 to 5 are attempting to create encumbrance over the property. In this regard, the petitioner has given a representation to the first and second respondents not to register any document. Hence the present Writ Petition.

5. At the outset, this Court is of the view that such a blanket direction cannot be issued. Mere pendency of a suit is not a bar for registration of any document. However, the same is subject to doctrine of *lis pendens*. If any such transaction takes place, the petitioner can very well seek relief by way of filing an application in the pending suit. Hence, I am not inclined to give any direction in this Writ Petition.

6. Accordingly, this Writ Petition is dismissed. No costs.

04.06.2024

vrc

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No



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To,
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Registration Department,
No.100, Santhome Highways, Chennai – 600 028.
2. The Sub Registrar,
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N. SATHISH KUMAR, J.

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