



W.P. No.19114 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.19114 of 2021 and
W.M.P. No.20397 of 2021

Tamil Nadu Viyaparigal Sanga Peravai
Represented by its authorised signatory
Mr.V.C.Kathiravan
Old No.13, New No.138 Arcot Road
Virugambakkam
Chennai - 600 092

... Petitioner

Vs

1.The Sub Registrar
The Sub Registrar's Office
Ambattur (Chennai North)
Municipal Community Hall
Gopalsamy Street, Ram Nagar
Ambattur
Chennai - 600 053

2.Krishnamurthy Raju

... Respondents

(impleaded vide order dt.25.10.2021 made in
W.M.P. No.23382/2021 in W.P. No.19114/2021)



W.P. No.19114 of 2021

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondent to register any document of sale or any other document creating any encumbrance on the property measuring about 10.51 Acres or any part thereof comprised in T.S.F. No.284, 285, 289 Part 503, 504 of Athipattu Village, Ambattur Taluk, Tiruvallur District, presented by any agent strictly by observing the rules and practice governing the registration documents on the basis of power of attorney.

For Petitioner : Mr.S.Sridharan

For Respondents : Mr.B.Vijay, Addl. Govt. Pleader for R1

ORDER

This writ petition has been filed for a direction to the first respondent to register any document of sale or any other document creating any encumbrance on the property measuring about 10.51 Acres or any part thereof comprised in T.S.F. No.284, 285, 289 Part 503, 504 of Athipattu Village, Ambattur Taluk, Tiruvallur District, presented by any agent strictly by observing the rules and practice governing the registration documents on the basis of power of attorney.



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2. According to the petitioner, he is the authorised signatory of the petitioner society. The society owns a property of an extent of 10.51 Acres in T.S.F. No.284, 285, 289 Part 503, 504 of Athipattu Village, Ambattur Taluk. It is the case of the petitioner that the private respondent took temporary possession of the property as per the proceedings of the Debts Recovery Tribunal vide order dated 19.07.2012 in I.A. No.1854 of 2012. Now the private respondent is trying to create encumbrance over the property. Hence this writ petition.

3. At the outset, this court is of the view that the writ petition is not maintainable for seeking such directions. The very affidavit filed in support of the writ petition itself indicate that the property already appears to have been purchased by the second respondent in a proceeding. Such being the position, mere *omni bus* direction restraining the authorities from performing their statutory duties, cannot be issued. Hence I do not find any merit in the writ petition. Accordingly, the same deserves to be dismissed.



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4. In fine, the writ petition is dismissed. However, there is no order as to costs. Consequently, the connected writ miscellaneous petition is closed.

08.07.2024

Index : Yes / No

Neutral Citation : Yes / No

Asr

To

1.The Sub Registrar

The Sub Registrar's Office
Ambattur (Chennai North)
Municipal Community Hall
Gopalsamy Street, Ram Nagar
Ambattur
Chennai - 600 053

2.The Government Pleader

High Court, Madras



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N.SATHISH KUMAR, J.

Asr

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