



W.P.No.30972 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.30972 of 2024

V.Ayyasamy

... Petitioner

VS.

1.The District Collector,
Office of the District Collector
Coimbatore.

2.The Tahsildar
Perur Taluk, Coimbatore.

3.Village Administrative Officer
Theethipalayam Village,
Coimbatore.

4.Sub Registrar
Thondamuthur Registration Office
Thondamuthur,
Coimbatore 641009.

5.The Branch Manager
Punjab National Bank,
Oppanakara Street Branch,
Coimbatore.

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 4th Respondent herein to consider his representation dated 15.03.2024.

For Petitioner : Mr.S.Gunasekaran

For R1 to R4 : Mr.B.Vijay
Additional Government Pleader

ORDER

By consent of both the learned counsel appearing for the petitioner as well as respondents 1 to 4, this writ petition is disposed of at the admission stage itself.

2. The petitioner herein seeks a direction to the 4th respondent to consider his representation dated 15.03.2024.

3. It is the case of the petitioner that he purchased 80 cents of land in Survey No.54/2B2 situated at Theethipalayam Village, Perur Taluk, Coimbatore Registration District, under a registered Document as Document No.6736/2008 from one Gayathri Devi. It is further stated by the petitioner



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that one Chinnamarakal based on bogus document mortgaged the property in Punjab National Bank and availed loan facility. Therefore, the petitioner filed a civil suit in O.S.No.1347 of 2022 on the file of the District Munsif Court, Coimbatore seeking permanent bare injunction. The said suit is said to be pending. In the meantime, the petitioner submitted a representation before the 4th respondent dated 15.03.2024 requesting him not to entertain any document for registration pertains to the said property.

4. Admittedly, the petitioner filed a suit for permanent bare injunction in O.S.No.1347 of 2022 on the file of the District Munsif Court, Coimbatore. He has not obtained any prohibitory order from the Civil Court. In such circumstances, this Court is not inclined to issue any direction to the 4th respondent to consider his request not to entertain document for registration pertains to the above mentioned property.

5. The 4th respondent is exercising his statutory power and if the document is presented for registration, he has to follow the procedure established by law and registered the same, if it is in order. Therefore, the omnibus prayer sought for by the petitioner cannot be granted.



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6. Accordingly, the Writ Petition is dismissed. However, it is open to the petitioner to workout his remedy before the Civil Court or any other competent forum in the manner known to law. No costs.

24.10.2024

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm



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To

WEB COPY

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S.SOUNTHAR, J.

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