



W.P (MD).No.2677 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.11.2024

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P (MD).No.2677 of 2024

and

W.M.P(MD)No.4270 of 2024

K.Tamilselvi

...Petitioner

Vs.

The Sub Registrar,
Pandalkudi,
Aruppukottai Taluk,
Virudhunagar District.

...Respondent

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned order passed by the respondent in RFL/Pandalkudi/1/2024 dated 23.01.2024 and quash the same as illegal and consequently direct the respondent to register the sale deed, dated 23.01.2024 presented by the petitioner.

For Petitioner : Mr.S.Bharathi

For Respondent : Mr.M.Sarangan
Additional Government Pleader



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However, the respondent is not a party to the suit and no interim order granted against the respondent for registering any document in respect of the subject property.

5. It is a settled law that the mere pendency of a Civil suit can never be a ground for refusing to register a document. Unless the transfer of property is restrained by any specific order passed in a pending suit, any transfer of property that takes place during the pendency of the suit will only be subject to the result of the suit, as per the doctrine of *lis pendense*.

6. In view of the above, the order passed by the respondent cannot be sustained and it is liable to be quashed. Accordingly, the impugned order dated 23.01.2024 is quashed and the writ petition is allowed. The petitioner is directed to represent the sale deed for registration before the respondent. On receipt of the same, the respondent is directed to register the sale deed and release the document forthwith. No costs. Consequently, connected miscellaneous petition is closed.

Internet : Yes
Index : Yes/No
Speaking/Non Speaking order
am

26.11.2024



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WEB COPY

To

The Sub Registrar,
Pandalkudi,
Aruppukottai Taluk,
Virudhunagar District.



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G.K.ILANTHIRAIYAN, J.

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