



W.P(MD)No.8662 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.04.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.8662 of 2024

and

W.M.P.(MD)No.7912 of 2024

Sureshkumar

... Petitioner

Vs.

1.The District Registrar,
Office of the District Registrar Office,
Pudukottai District.

2.The Sub Registrar,
O/o the Sub Registrar Office,
Alangudi Post and Taluk,
Pudukkottai District.

3.S.N.Sakthivel

4.Pappammal

5.Muthulakshmi

6.Murugesan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to forbear the respondents 1 and 2 from registration of document presented by respondents 3 to 6 and their men on the basis of document No. 460/2015 registered at the 2nd respondent office pertaining to the properties in survey numbers 100/6, 100/6A1 and



W.P(MD)No.8662 of 2024

100/6A2, 254/1, 255/2, 259/2, 259/7 and 261/2 of Kallalangudi Revenue village, Alangudi taluk, Pudukkottai district till the final adjudication in O.S.No. 69 of 2020 on the file of the Learned Munsif Court, Alangudi.

For Petitioner : Mr.R.Paranjothi
For Respondents : Mrs.D.Farjana Ghoushia
Special Government Pleader for R1 & R2

ORDER

Heard the learned counsel for the petitioner and the learned Special Government Pleader for the official respondents. Issuance of notice to the private respondents is dispensed with.

2. Admittedly, the petitioner has filed a civil suit in O.S.No.69 of 2020 on the file of the District Munsif Court, Alangudi. It is still pending. The petitioner wants this Court to forbear the registering authority from entertaining any document in respect of the petition mentioned survey numbers till the suit is disposed of. It is well settled that final relief under Article 226 of the Constitution of India cannot be in the nature of interim relief. The petitioner can very well file an IA in the pending suit. The petitioner is given liberty to do so. If any IA is filed, it shall be numbered immediately and disposed of on merits and in accordance with law as expeditiously as possible. The trial Court can even consider granting exparte relief. The registering authority can be made as respondent in the IA without making him as defendant in the main suit.



W.P(MD)No.8662 of 2024

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3. With this liberty to the petitioner to approach the trial Court and direction to the trial Court in the manner aforesaid, the Writ Petition is disposed of. I make it clear that I have not gone into the merits of the matter. No costs. Consequently, connected miscellaneous petition is closed.

05.04.2024

Index : Yes / No
Internet : Yes/ No
rmi

To

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O/o the Sub Registrar Office,
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W.P(MD)No.8662 of 2024

G.R.SWAMINATHAN, J.

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W.P(MD)No.8662 of 2024

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