



WP(MD). No.8947 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 09/08/2024

CORAM

The Hon`ble Mr.Justice N.SATHISH KUMAR

WP(MD). No.8947 of 2022

Thamaraiselvi,

... Petitioner

Vs

1. The District Registrar (Admin),
Madurai South, Registration Dept.,
Madurai.

2. The Sub Registrar,
Arasaradi S.R.O, Madurai.

3. Joint Sub Registrar No.4 South
Madurai South S.R.O, Madurai Dist.

4. Alagammal.V,

5. Nalini,

6. Varun,

7. Mohanram,

8. P.Venkureddy,

9. P.L.S Swaminathan,

... Respondents



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PRAYER :-Writ is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, call for the records relating to the impugned order of the 1st respondent bearing Na.Ka.No.178/A2/2021 dated 17.11.2021 and quash the same and consequently direct the 1st respondent to classify the documents in 11026/2020 dt. on 28.10.2020, and all other subsequent documents executed by the respondents 4 to 9 and registered at 3rd respondent S.R.O is fraudulent documents.

For Petitioner : M/s. Siva Ilayaraja .S,
For Respondents : Mr.M.Siddarthan for R1 to R3
Additional Government Pleader
Mr.S.Rajasekar for R4, R5 and R7
Mr.V.P.Rajan for R6
Mr.S.Sukumar for R8& R9

ORDER

This writ petition has been filed challenging the impugned order of the first respondent rejecting the request of the petitioner's representation to cancel the document registered in favour of the private respondents.

2. It is the case of the petitioner that the suit has been filed for partition by the plaintiff has been decreed, against which the first appeal filed was dismissed. Aggrieved by the same, the petitioner herein has filed a second appeal and the same is pending. When the second appeal is pending, suppressing the same, the private respondents sold the property



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in question. Therefore, the petitioner seeks to cancel the same.

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3. At the outset, this Court is of the view that mere pendency of the second appeal is not a bar for such transfer and such transfer is always subject to the outcome of the appeal. When that being the position, the impugned order does not require any interference. Accordingly, the writ petition is dismissed. No costs.

09.08.2024

RR

TO

1. The District Registrar (Admin),
Madurai South, Registration Dept.,
Madurai.

2. The Sub Registrar,
Arasaradi S.R.O, Madurai.

3. Joint Sub Registrar No.4 South,,
Madurai South S.R.O, Madurai Dist.



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N.SATHISH KUMAR,J

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