



W.P.(MD)No.10864 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 03.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.10864 of 2023
and WMP(MD) No.9523 of 2023

S.Balasubramanian

... Petitioner

Vs

1. The Sub Registrar,
Thiruppuvanam Sub Registrar Office,
Thiruppuvanam , Sivagangai District.

2. Saroja

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the 1st respondent from not registering any document submitted through the 2nd respondent or her power of attorney in respect of the property in survey no 126/6B3A and 126/6B3C situated at Ladanendhal village, Thiruppuvanam Taluk, Sivagangai District.

For Petitioner : No Appearance

For Respondents : Mr.C.Satheesh (R1)
Government Advocate

Mr.B.Ramanathan (R2)



W.P.(MD)No.10864 of 2023

WEB COPY

ORDER

This Writ Petition has been filed seeking a direction to the 1st respondent from not registering any document submitted through the 2nd respondent or her power of attorney in respect of the property in survey no 126/6B3A and 126/6B3C situated at Ladanendhal village, Thiruppuvanam Taluk, Sivagangai District.

2.Heard Mr.C.Satheesh, learned Government Advocate appearing for R1 and Mr.B.Ramanathan, learned counsel appearing for R2. Perused the materials available on record.

3.The case of the petitioner is that he has purchased a land to an extent of 5 ½ acres in land in S.No.126/6B from various persons out of total extent of 6 acres 40 cents. He started to purchase the properties from the year 2011 and finally on 24.02.2016. However, the second respondent has also created some forged document on 13.02.2012 to an extent of 1 acre 30 cents in S.No.126/6B and also changed the revenue records. In this regard, the petitioner also filed a suit in O.S.No.47 of 2020 before the District Munsif cum Judicial Magistrate



W.P.(MD)No.10864 of 2023

Court, Thiruppuvanam and the same is pending. Therefore, he seeks direction to the first respondent not to register any document presented by the 2nd respondent or her power agent.

4.The very writ petition is abuse of process of law. The petitioner has filed a suit for declaration. What he could not achieve before the Civil Court, he want to achieve the same before this Court by way of filing this writ petition. That cannot be done before this Court in the writ petition.

5.With the above observation, this writ petition stands dismissed.
No costs. Consequently connected miscellaneous petition is closed.

03.09.2024

NCC : Yes/No
Index : Yes/No
PNM

To

1. The Sub Registrar,
Thiruppuvanam Sub Registrar Office,
Thiruppuvanam , Sivagangai District.



WEB COPY



W.P.(MD)No.10864 of 2023

N.SATHISH KUMAR, J.

PNM

ORDER IN

W.P.(MD)No.10864 of 2023

and WMP(MD) No.9523 of 2023

03.09.2024