



W.P(MD).No.13615 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

**W.P(MD).No.13615 of 2023
and
W.M.P(MD).No.11477 of 2023**

G.Rajalakshmi

... Petitioner

Vs.,

1.The Sub Registrar,
Gujiliamparai Sub Registrar Office,
Gujiliamparai Taluk,
Dindigul District.

2.Thangavel
3.Armugam
4.Manickavasagam
5.Senthilkumar
6.Arumugam

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to forbear the first respondent from registering the documents submitted by the respondents 2 to 6 herein with regard to property in Survey No. 942/3, 942/5 and 942/2A2 situated at R.Kombai Village, Gujiliamparai Taluk, Dindigul District based on the petitioner's representation dated 17.05.2023.



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For Petitioner : Mr.Gomathi Sankar.G
For Respondents : Mr.P.Subbaraj (for R1)
Special Government Pleader
Mr.V.R.Arunkumar (for R2 & R3)
Mr.R.Venkateswaran (for R4 & R5)
No appearance (for R6)

ORDER

This writ petition has been filed seeking for issuance of writ of mandamus forbearing the first respondent from registering the documents submitted by the respondents 2 to 6 herein with regard to property in Survey No. 942/3, 942/5 and 942/2A2 situated at R.Kombai Village, Gujiliamparai Taluk, Dindigul District based on the petitioner's representation dated 17.05.2023.

2. The case of the petitioner is that the subject property originally belongs to the petitioner's grandfather, namely, Rajalingam Pillai. He had three sons. The property has been partitioned to the legal heirs by the said Rajalingam Pillai during his life time. Now, the respondents 2 to 6 are trying to alienate the property including the petitioner's property. Hence, she seeks direction to the authority not to register any document presented by the respondents 2 to 6 in respect of the subject property.



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3. At the outset, this Court is of the view that the writ petitioner is trying to achieve indirectly what she could not do directly before the civil Court. Such civil right cannot be established by way of writ petition. The allegation itself clearly indicates that it is the civil dispute. Hence, I do not find any merits in the writ petition. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

03.09.2024

NCC : Yes/No
Index : Yes/No
Rmk

To
1. The Sub Registrar,
Gujiliamparai Sub Registrar Office,
Gujiliamparai Taluk,
Dindigul District.



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N.SATHISH KUMAR, J.

Rmk

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