



W.P.(MD)No.22146 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.22146 of 2022

M.Ajith Kumar

... Petitioner

Vs.

1.The District Registrar,
Registration Department,
Tiruchirappalli District.

2.The Sub Registrar,
Sub Registrar Office,
K.Sathanur, LIC Colony,
K.K.Nagar,
Tiruchirappalli District.

3.Rangaraj

4.Venkatesh

.... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, forbearing the 2nd respondent from registering any documents in S.F.No.137/1, 2 of an extent of 0.07 ½ cent 3270 sq. ft. situated at Panchapur Village, K.Sathanur, Trichy, Trichy District based on the petitioner's representation dated 05.09.2022.



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For Petitioner : Mr.C.Ezhilarasu
For Respondents : Mr.P.Subbaraj,
Spl. Govt. Pleader for R1 & R2
Mr.T.Leninkumar for R3 & R4

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, forbearing the 2nd respondent from registering any documents in S.F.No.137/1, 2 of an extent of 0.07 ½ cent 3270 sq. ft. situated at Panchapur Village, K.Sathanur, Trichy, Trichy District based on the petitioner's representation dated 05.09.2022.

2. It is the case of the Writ Petitioner that the subject property belongst to the petitioner's mother. On 27.11.2018, the said property was gifted to the petitioner and other legal heirs. However, the respondents 3 and 4 were created some forged document and tried to encroach the petitioner's property. Therefore, the petitioner filed a suit in O.S.No.42 of 2022 before the District Munsif Court, Trichy against the respondents 3 and 4 and the same is also pending. The petitioner made a representation to the respondents on 05.09.2022, seeking not to register any document in respect of the subject property. Since the same was not considered by the respondents, the petitioner has filed this Writ Petition.



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3. The respondents have not filed their counter affidavit. Heard the submissions made by the learned counsel appearing on their side and perused the materials available on record.

4. Considering the facts and circumstances of the case, this Court is of the view that as a matter of right, the petitioner cannot seek an order restraining the authorities from doing their statutory duties. Admittedly, a suit has already been filed, wherein the petitioner could not get any interim order and the same is pending. Hence, I do not find any merit in this Writ Petition and this Writ Petition is liable to be set aside.

5. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs.

20.08.2024

NCC : Yes/No
Index : Yes/No

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N.SATHISH KUMAR, J.

vsm

To

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