



W.P.(MD) No.20645 of 2015

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.20645 of 2015
and
M.P.(MD) Nos.1 and 2 of 2015
and
W.M.P.(MD) No.8595 of 2016

D.Thanga Raj Pandian

.. Petitioner

Vs.

1.The District Registrar,
O/o. District Registrar,
Raja Palace, Ramanthapuram,
Ramanathapuram District.

2.The Sub Registrar,
O/o. Sub Registrar,
Sayalkudi,
Ramanathapuram District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the order passed by the second respondent in his proceedings Nil dated 06.11.2015 and quash the same as illegal and consequentially to direct the second respondent to register the pending



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document in P3 of 2015 dated 08.04.2015 pending on the file of the second respondent within the time that may be stipulated by this Court.

For Petitioner : Mr.B.Prahalad Ravi

For Respondents : Mr.D.Sadiq Raja

ORDER

The challenge in the writ petition is to an order passed by the second respondent refusing to entertain the registration of a document in Pending No.3 of 2015.

2. The learned counsel for the petitioner today, had produced typed set of papers enclosing an order made in Company Application Nos.2243 to 2245 of 2008, dated 22.12.2010.

3. However, in the order impugned, the same has been referred to as CRMP petitions. It is to be noted that there is no nomenclature as CRMP before this Court.



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4. A perusal of the order passed by the Company Court dated 22.12.2010, would indicate that an order of injunction had been granted by this Court from registering any documents to the scheduled appende therein.

5. However, the learned counsel for the petitioner would submit that the petitioner had nothing to do with the company called Maxworth Orchards (India) Ltd., and the lands are all owned by one Balakrishnan, who is the vendor of the property that is sought to be registered in favour of the petitioner.

6. Since an order of injunction had been granted by the Company Division of this Court, it would be only appropriate for the petitioner to approach the Company Court making his claim to the property and it is only the Company Division of this Court, which can modify the said order, if the claim made by the petitioner is proved. Therefore, granting liberty to the petitioner to approach the Company Division of this Court seeking for appropriate relief, this Writ Petition is disposed of. The



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second respondent shall not return the document and await the decision of the Company Division of this Court. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

21.11.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

abr

To

1.The District Registrar,
O/o. District Registrar,
Raja Palace, Ramanthapuram,
Ramanathapuram District.

2.The Sub Registrar,
O/o. Sub Registrar,
Sayalkudi,
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K.KUMARESH BABU, J.

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