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W.P.(MD) No.23196 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD) No.23196 of 2024

Kumar @ Senthilkumar

...Petitioner

-VS-

1.The Sub Registrar,
Office of the Sub Registrar,
Pappanadu,
Orathanadu Taluk,
Thanjavur District.

2.Ushanandhini

...Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of Mandamus, to direct the first respondent to consider the objection petition of the petitioner dated 06.09.2024 before entertaining any documents presented by the second respondent in respect of the survey No.18/10A and 18/10B of Vedhavijayapuram, Orathanadu Taluk, Thanjavur District.

For Petitioner
For R1

: Mr.A.Mohan
: Mr.P.Subbaraj
Special Government Pleader



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ORDER

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The petitioner has filed this writ petition seeking a direction to the first respondent to consider the objection petition filed by the petitioner dated 06.09.2024 before entertaining any documents presented by the second respondent in respect of survey No.18/10A and 18/10B of Vedhavijayapuram, Orathanadu Taluk, Thanjavur District.

2.Mr.P.Subbaraj, learned Special Government Pleader takes notice for the first respondent. Considering the nature of the order proposed to be passed, notice to the second respondent is dispensed with.

3.By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

3.The case of the petitioner is that the petitioner purchased the subject property and some other properties from and out of the hard earned money at Singapore in the name of the petitioner's wife/second respondent herein and his daughters. However, the second respondent



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without the knowledge of the petitioner had sold some other properties and tried to sell the subject property also. Hence, the petitioner filed a suit in O.S.No.183 of 2021 and 45 of 2022 for declaration and for other reliefs and the same is pending. In the meanwhile, the petitioner has made an objection before the first respondent not to register any documents with regard to the subject property. Since the same was not considered, the petitioner has filed this writ petition.

4.At the outset, this Court is of the view that the petitioner is trying to achieve indirectly what he could not achieve directly in the pending civil suit. Having filed suit for declaration and permanent injunction, the petitioner has made an objection before the authorities concerned not to register any documents with regard to the subject properties. Such a blanket direction cannot be issued restraining the authorities from discharging their statutory duties. If really the petitioner is aggrieved, it is for the petitioner to canvass the suit and get his grievances redressed in the suit pending before the competent civil Court.



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5.In such view of the matter, I do not find any merits in this writ petition. Accordingly, this writ petition is dismissed. No costs.

30.09.2024

Index : Yes / No
Internet : Yes / No
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To

The Sub Registrar,
Office of the Sub Registrar,
Pappanadu,
Orathanadu Taluk,
Thanjavur District.



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N.SATHISH KUMAR, J.

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