



W.P(MD)No.24186 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.10.2024

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.24186 of 2024

M.S.Senthil Kumar

... Petitioner

Vs.

1.The District Registrar,
Madurai South, Palace Road,
Madurai.

2.The Sub Registrar,
Joint I Sub Registrar Office,
Palace Road, Madurai.

3.A.Perumal

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent not to register any documents having previous record as Doc.No.9064/2020 in respect of the property in D.No.3B, North Street, Anuppanady, Madurai till the disposal of the suit in O.S.No.245/2023 on the file of the learned Principal District Munsif, Madurai.

For Petitioner : Mr.K.Neethimohan

For R1 & R2 : Mr.P.Subbaraj,
Special Government Pleader



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ORDER

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2.Mr.P.Subbaraj, learned Special Government Pleader takes notice for the respondents 1 and 2. Considering the nature of order proposed to be passed in this Writ Petition, notice to the 3rd respondent is dispensed with.

3.The petitioner seeks a direction to the 2nd respondent not to register any documents having previous record as Doc.No.9064/2020 in respect of the property in D.No.3B, North Street, Anuppanady, Madurai till the disposal of the suit in O.S.No.245/2023 on the file of the learned Principal District Munsif, Madurai.

4.According to the petitioner, the property in question originally belonged to Pandiyakula Salavaiyalargal Sangam. However, the 3rd respondent, by creating false documents, transferred the property in his name and now, he is making an attempt to sell the same to third party, for which, the petitioner has filed an objection petition on 28.11.2022 to the 2nd respondent.



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5.At the outset, this Court is of the view that such a blanket direction, restraining the statutory authorities from discharging their statutory functions, cannot be issued. The petitioner has already filed a suit in O.S.No.245 of 2023, which is pending on the file of the learned Principal District Munsif, Madurai, where no restraint order has been passed. That apart, any transfer made during the pendency of the suit is always subject to the result of the pending suit. Accordingly, this Writ Petition is dismissed. No costs.

16.10.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

Yuva

To

1.The District Registrar,
Madurai South, Palace Road,
Madurai.

2.The Sub Registrar,
Joint I Sub Registrar Office,
Palace Road, Madurai.



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N.SATHISH KUMAR, J.

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