



W.P.(MD) No.14680 of 2017

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.14680 of 2017

and

W.M.P.(MD) Nos.11508 and 11509 of 2017 and 9360 of 2021

1.A.Veeraiah (died)

2.V.Kalavathi

3.V.Senthil Kumar

4.V.Premkumar

5.V.Ranjithkumar

6.V.Rekha

*(P2 to P6 have been impleaded
vide order dated 18.11.2024)*

... Petitioners

/vs./

1.The District Registrar,
Madurai North Registration District,
Thirumohoor Road,
Y.Othakadi,
Madurai 107.



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2.The Sub Registrar,
Tallakulam Registration Office,
Integrated Registration Offices,
Thirumohoor Road,
Y.Othakadi,
Madurai 107.

3.K.Rajabeevi

4.N.Vijaya Rajasekar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the entire records pertaining to the impugned order passed by the 1st Respondent vide his proceedings in Me.Mu.No. 4/2016 dated 24.10.2016 and the consequential sale deed dated 13.10.2015 registered by the 2nd Respondent vide Document No.4059/2016 on 10.11.2016 and quash the same.

For Petitioner : Mr.P.Gunasekaran

For R1 & R2 : Mr.D.Sadiq Raja
Additional Government Pleader

For R3 & R4 : Mr.C.Jeyaprakash

ORDER

The writ petition had been filed challenging the order passed by the first respondent in allowing the application filed by the respondents 3 and 4, wherein a



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consequential direction was issued to the second respondent to register the sale deed. Pursuant to the said order, even though this Court had held that the Registering Authority cannot enter upon the dispute over the title to the property, but however even before the said order could be challenged before this Court, a sale deed had been executed in the year 2016 which had also been challenged by the petitioner in this writ petition.

2. In view of the judgment of the Hon'ble Apex Court in the case of **Satya Pal Anand Vs. State of M.P. and others** reported in **2016 10 SCC 767**, it is for the petitioner to workout his remedy before the appropriate civil Court in the manner known to law. While calculating the period of limitation, the period of pendency of this writ petition shall be excluded by invoking Section 14 of the Limitation Act, 1963. Since the petitioner had been protected by an order of interim injunction by this Court, the petitioner shall file an appropriate civil suit within a period of 3 weeks from today. The interim injunction earlier granted by this Court shall continue till 09.12.2024. It is made clear that if no suit is filed on or before 09.12.2024 by the petitioner, the interim protection granted under this order shall stand vacated without further reference to this Court.



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3. In fine, the Writ Petition stands dismissed. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

Index : Yes / No
Internet : Yes / No
mm

18.11.2024

Note : Issue order copy on 19.11.2024

To

1.The District Registrar,
Madurai North Registration District,
Thirumohoor Road,
Y.Othakadi,
Madurai 107.

2.The Sub Registrar,
Tallakulam Registration Office,
Integrated Registration Offices,
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K.KUMARESH BABU, J.

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