



W.P.(MD) No.27274 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.27274 of 2024

S.Rajamuthupandy

.. Petitioner

Vs.

1.The Revenue Divisional Officer,
Tirumangalam,
Madurai District.

2.The Tahsildar,
Tirumangalam,
Madurai District.

3.The Sub Registrar,
Sub Registrar Officer,
Tirumangalam, Madurai District.

4.N.Baskar Raja

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the third respondent to consider the petitioner's representation dated 05.11.2024 for restrain to execute any document in Survey No.35/6A2 until petitioner claim his Easement Rights in the Civil Suit and first respondent proceedings in Na.Ka.No.4126 of 2024.



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For Petitioner : Mr.S.Udhaya Bharathi
For R1 to R3 : Mr.S.P.Maharajan
Special Government Pleader

ORDER

The prayer sought for in this writ petition is to issue a direction to the third respondent to consider the representation of the petitioner dated 05.11.2024 to restrain execution of any document in Survey No.35/6A2 until the claim of the petitioner's right in the civil suit is decided.

2. The claim of the petitioner in his representation is to not register any document that is submitted in respect of Survey No.35/6A2.

3. It has been repeatedly held by the Court that the Registrar cannot refuse to register any document on the ground that there is a claim by the third party of title in respect of the property that is sought to be conveyed. Further, it has also been held that it is only open to the parties concerned to approach the civil Court for remedy. If a remedy had been



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granted by a civil Court, then it would be impediment on the registering authority to refuse registration. In the present case, there is no such decree by the civil Court in respect of the land in question. Hence, I am not inclined to entertain the writ petition as prayer for.

4. In fine, this Writ Petition is dismissed. There shall be no order as to costs.

15.11.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

abr

To

1.The Revenue Divisional Officer,
Tirumangalam,
Madurai District.

2.The Tahsildar,
Tirumangalam,
Madurai District.

3.The Sub Registrar,
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K.KUMARESH BABU, J.

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