



W.P.(MD) No.27346 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.27346 of 2024

V.Mokkayee

.. Petitioner

Vs.

1.The District Collector,
District Collector Office,
Madurai District.

2.The Sub-Registrar,
Kaathakinaru Sub-Registrar Office,
Madurai District.

3.Ayyankalai

4.M.Sailesh

5.B.Pradeep Kumar

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the second respondent to consider the petitioner's representation dated 21.06.2024.

For Petitioner : Mr.V.Nagendran



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For RR1 & 2 : Mr.S.P.Maharajan
Special Government Pleader
For R3 : Mr.P.M.Vishnuvarthanan
For RR4 & 5 : Mr.M.P.Vasantharam

ORDER

The prayer sought for in this writ petition is to issue a direction to the respondents to consider the representation of the petitioner dated 21.06.2024.

2. The claim of the petitioner in her representation is to not register any document that is submitted in respect of Survey No.28/3 of Y.Pudhupatti Village, Madurai East Taluk, Madurai.

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



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concerned to approach the civil Court for remedy. If a remedy had been granted by a civil Court, then it would be impediment on the registering authority to refuse registration. It is not brought to the notice of this Court whether the civil Court had granted any injunction against the defendants therein from dealing with the property. Hence, I am not inclined to entertain the writ petition as prayer for.

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

15.11.2024

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

abr

To

- 1.The District Collector,
District Collector Office,
Madurai District.
- 2.The Sub-Registrar,
Kaathakinaru Sub-Registrar Office,
Madurai District.



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K.KUMARESH BABU, J.

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