



W.P.(MD).No.27367 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.27367 of 2024

Vellaichamy

.... Petitioner

Vs

1.The District Registrar,
Ramanathapuram District.

2.The Sub Registrar No.II,
Ramanathapuram,
Ramanathapuram District.

3.The Sub Registrar,
Vellipattinam,
Ramanathapuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus, directing the respondents to consider the objection dated 05.09.2024 submitted by the petitioner and record the same.

For Petitioner : Mr.Selva Aditya

For Respondents : Mr.S.P.Maharajan
Special Government Pleader



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ORDER

Heard Mr.Selva Aditya, learned counsel for the petitioner and Mr.S.P.Maharajan, learned Special Government Pleader for the respondents.

2. 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 05.09.2024 to restrain execution of any document in the petitioner's subject property, until the claim of the petitioner's right in the civil suit is decided.

3. The claim of the petitioner in his representation is to not register any document that is submitted in respect of the subject property.

4. 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 granted by a civil Court, then it would be impediment on the registering



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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.

5. 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/no
Nsr

To:

- 1.The District Registrar,
Ramanathapuram District.
- 2.The Sub Registrar No.II,
Ramanathapuram,
Ramanathapuram District.
- 3.The Sub Registrar,
Vellipattinam,
Ramanathapuram District.



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K.KUMARESH BABU, J.

Nsr

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