



W.P.(MD) No.27339 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.27339 of 2024

A.Balasubramanian

.. Petitioner

Vs.

1.The Inspector General of Registration,
No.100, Santhome High Road,
Mullima Nagar, Mandavelipakkam,
Annamalaipuram, Chennai-600 028.

2.The Deputy Inspector General of Registration,
Deputy Inspector General of Registration Office,
Beema Nagar, Sankiliyandapuram,
Trichy District-620 001.

3.The District Registrar (South),
District Registrar Office,
Beema Nagar, Sankiliyandapuram,
Trichy District-620 001.

4.The Sub-Registrar,
Sub-Registrar Office,
Trichy Joint-1 Office,
Trichy District.

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 25.09.2024 for restrain to execute any document in the mentioned representation Survey Numbers until the disposal of Civil Suit O.S.No.58 of 2017.

For Petitioner : Mr.S.Udhaya Bharathi

For Respondents : Mr.M.Sarangan
Additional Government Pleader

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 25.09.2024 to restrain execution of any document in respect of Survey Nos.222/2A, 222/8, 223/1, 225/1 and 219/6 of K.Kallikkudi Village (South), Srirangam Taluk, Trichy, until the clime of the petitioner's right in the civil suit in O.S.No.58 of 2017 is decided.

2. The claim of the petitioner in his representation is to not register any document that is submitted in respect of Survey Nos.222/2A, 222/8, 223/1, 225/1 and 219/6.



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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 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

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K.KUMARESH BABU, J.

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