



W.P (MD).No.29820 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2024

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P (MD).No.29820 of 2024

S.Vijayaragavan

...Petitioner

Vs.

1.The District Registrar,
District Registrar Office,
Pudukkottai.

2.The Sub-Registrar,
Sub-Registrar Office,
Aranthangi Taluk,
Pudukkottai District.

3.The Sub-Registrar,
Sub-Registrar Office,
Pudukkottai Taluk,
Pudukkottai District.

4.The Sub-Registrar
Sub-Registrar Office,
Thirumayam Taluk,
Pudukkottai District.

5.Baskaran

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents 1 to 4 to forbear the fifth respondent from presenting any document for registration either by himself or



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through his Power of Attorney in respect of S.F.Nos.284/2,3,4,5,6 285/1A, 1B, 2B and 286/2B at Amman Nagar, within the jurisdiction of Aranthangi Sub-Registrar S.F.Nos.16/1,2,17/17, 19A,25/1, 2,26/1 at Abirami Nagar within the jurisdiction of Pudukkottai Sub-Registrar and S.F.No.156/12,13 at Kumaran Nagar within the jurisdiction of Thirumayam Sub-Registrar by considering petitioner's representation dated 10.07.2024.

For Petitioner : Mr.R.Paranjothi
For R1 to R4 : Mr.D.Sadiq Raja
Additional Government Pleader

ORDER

This writ petition has been filed to forbear the respondents 1 to 4 from registering any document presented for registration by the fifth respondent in respect of the property comprised in S.F.Nos.284/2,3,4,5,6 285/1A, 1B, 2B and 286/2B at Amman Nagar, within the jurisdiction of Aranthangi Sub-Registrar S.F.Nos.16/1,2,17/17, 19A,25/1, 2,26/1 at Abirami Nagar within the jurisdiction of Pudukkottai Sub-Registrar and S.F.No.156/12,13 at Kumaran Nagar within the jurisdiction of Thirumayam Sub-Registrar.

2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Heard the learned counsel appearing on either side and perused the materials placed before this Court.



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4. It is seen that the fifth respondent promoted house plots land comprised in S.F.No.284/2,3,4,5,6, 285/1A, 1A, 2B and 286/2B situated at Koothadivayal Village, Aranthangi Taluk, Pudukottai District. The fifth respondent obtained approval and sanction for promoting 110 house plots in the said land. The petitioner intended to purchase 2 plots and paid the advance. Even after payment of entire sale consideration, the fifth respondent failed to execute the sale deed, therefore, the petitioner approached the Consumer Court and filed complaint in C.C.No.16/2019 on the file of the District Consumer Forum, Pudukkottai. The District Consumer Forum, Pudukkottai vide its order dated 07.10.2022 directed the fifth respondent to execute the sale deed in favour of the petitioner and also to pay a sum of Rs.10,000/- as compensation and to pay a sum of Rs.5,000/- for mental agony sustained by the petitioner, however, it was not complied with. However, the petitioner filed E.A.No.18 of 2023 before the District Consumer Forum, Pudukkottai, wherein warrant has been issued as against the fifth respondent and also restrained the fifth respondent not to alienate the subject property in favour of any third party. Now, the petitioner apprehends that the fifth respondent attempting to execute the sale deed in respect of the plots which were purchased by the petitioner. Therefore, the petitioner submitted a representation to the registering authority.



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5. In view of the above, the respondents 1 to 4 are directed to consider the objection raised by the petitioner and conduct an enquiry after giving an opportunity of hearing to the petitioner, if any document in respect of S.F.No.284/2,3,4,5,6, 285/1A, 1A, 2B and 286/2B situated at Koothadivayal Village, Aranthangi Taluk, Pudukottai District presented for registration by the fifth respondent and pass orders on merits and in accordance with law in the light of the order passed by the District Consumer Forum, Pudukkottai in C.C.No.16 of 2019, dated 07.10.2022.

6. With the above direction, the writ petition is disposed of. No costs.

Internet : Yes

Index : Yes/No

Speaking/Non Speaking order

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To

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- 2.The Sub-Registrar,
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- 3.The Sub-Registrar,
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