



WP(MD). No.29994 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:11.12.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

WP(MD). No.29994 of 2024
and WMP(MD) No.25254 of 2024

M.K.Ameem Ahemed

... Petitioner

Vs

1. The District Registrar,
District Registrar Office,
Ramanathapuram.

2. The Sub Registrar,
No.2, Joint Sub Registrar Office,
Vandikara Street,
Ramanathapuram,
Ramanathapuram District.

3. Mohamed Sithik

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to directing the 1st and 2nd respondent for restraining the 3rd respondent from registering the sale deed regarding property comprised at S.No..108/1, Devipattinam Revenue Village, Ramanathapuram Taluka and Ramanathapuram District by considering his petition in No.2540/2024, dated 24.06.2024.



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For Petitioner : Mr.B.Mahendrarajan

For Respondents : Mr.M.Sarangan (R1,R2)
Additional Government Pleader

ORDER

This writ petition has been filed forbearing the respondents 1 and 2 from registering any document in respect of property in S.No. 108/1, Devipattinam Revenue Village, Ramanathapuram Taluk, Ramanathapuram District.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself. Heard the learned counsel on either side and perused the materials placed before this Court.

3. There is a dispute over the title in respect of property S.No.108/1 situated at Devipattinam Revenue Village, Ramanathapuram Taluk, Ramanathapuram District between the petitioner and the third respondent. The petitioner has also filed a suit in O.S.No.71 of 2023 on the file of Additional District Court, Ramanathapuram seeking for declaration and mandatory injunction in respect of the subject property



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and the same is pending without any further progress. In the suit filed by the petitioner, registering authority is also party. However, in the said Court the post of the Judicial Officer is lying vacant and therefore, he did not get any order in the interlocutory petition filed by the petitioner seeking for ad-interim injunction as against the second respondent from registering any document in respect of the subject property.

4.In the meanwhile, the petitioner apprehends that the third respondent intended to alienate the property to some third party. Therefore, the petitioner submitted a representation before the second respondent and raised his objections not to register any document in respect of the subject property.

5.In view of the above, if any document presented for registration with respect to subject property by the third respondent, the second respondent has to issue notice to the petitioner and the third respondent and to conduct enquiry, thereafter, pass appropriate orders in accordance with law.



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6. With the above direction, this writ petition stands disposed

of. No costs. Consequently, connected miscellaneous petition is closed.

11.12.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes

PNM

To

1. The District Registrar,
District Registrar Office,
Ramanathapuram.

2. The Sub Registrar,
No.2, Joint Sub Registrar Office,
Vandikara Street,
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G.K.ILANTHIRAIYAN, J.

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