



C.M.P.(MD).No.18519 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 20.12.2024

CORAM

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

C.M.P.(MD).No.18519 of 2024
in
W.A.(MD).SR.No.93506 of 2024

G.Devibala

... Petitioner/Appellant

Vs.

1.M.Sandeep

2.The Joint Sub Registrar – II,
Virudhunagar,
Virudhunagar District.

... Respondents/Respondents

PRAYER in C.M.P.(MD).No.18519 of 2024: Civil Miscellaneous Petition filed under Section 151 of Civil Procedure Code, praying to grant leave to the petitioner for filing the Writ Appeal against the order passed in W.P.(MD).No. 28135 of 2024 dated 26.11.2024.

PRAYER in W.A.(MD).SR.No.93506 of 2024: Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order dated 26.11.2024 passed in W.P.(MD).No.28135 of 2024 on the file of this Court.



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For Petitioner : M/s.Lakshmi Gopinathan
for M/s.Polax Legal Solutions

For R-2 : Mr.S.Shaji Bino
Special Government Pleader

ORDER

(Order of the Court was made by M.S.RAMESH,J.)

The Civil Miscellaneous Petition has been filed seeking to grant leave to the petitioner to file an appeal against the order passed in W.P.(MD).No.28135 of 2024 dated 26.11.2024.

2. In the Writ Petition, the ground raised by the writ petitioner is that the Registrar cannot insist for production of original parent document for verification for the purpose of registration. On this short ground, the Writ Court has also intervened and upheld that the Registrar has no such powers.

3. Even assuming that the petitioner herein has any right over the subject property, the appropriate forum would be the Civil Court to establish such rights and this Court, in exercise of its powers under Article 226 of the Constitution of India, will not venture to adjudicate the claim of a rival party.



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As such, the petitioner may not be an interested person in the *lis* and hence, the

petition seeking for leave to file an appeal stands dismissed. Consequently,

W.A.(MD).SR.No.93506 of 2024 is rejected.

(M.S.R.,J.) (A.D.M.C.,J.)
20.12.2024

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

To
The Joint Sub Registrar – II,
Virudhunagar,
Virudhunagar District.



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M.S.RAMESH,J.
and
A.D.MARIA CLETE,J.

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