



Writ Petition No.4887 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.02.2025

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Writ Petition No.4887 of 2025

K.Mani
S/o.Kaveri

..Petitioner

Vs.

1.The Registrar,
District Registrar Office (West),
Jalagandapuram,
Salem District.

2.The Sub Registrar,
Jalagandapuram,
Salem District.

3.K.Palanisamy
4.K.Kamal
5.Kavitha
6.K.Murugan
7.Palaniappan
8.Madammal
9.Chandra
10.Saravanan
11.Thangam
12.Raja

... Respondents



Writ Petition No.4887 of 2025

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus forbearing the first respondent from registering sale deeds and settlement deeds with respect to the property situated in S.No.142 to an extent of 2.21 acres at Adaiyur Village, Edappadi Taluk, Salem District, until the disposal of civil suit in O.S.No.106 of 2021 on the file of District Judge, Sankari, Salem District, by considering the petitioner's representation dated 27.09.2024.

For Petitioner : Mr.M.Arun

For Respondents : Mr.U.Baranidharan
Special Government Pleader [R1 & R2]

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus forbearing the first respondent from registering the documents presented for registration touching upon the subject property till the disposal of the suit in O.S.No.106 of 2021 pending on the file of District Judge, Sankari, by considering the representation made by the petitioner on 27.09.2024.



Writ Petition No.4887 of 2025

2. Heard Mr.M.Arun, learned counsel for petitioner and Mr.U.Baranidharan, learned Special Government Pleader appearing for respondents 1 and 2.

3. A suit is pending before the competent civil Court. Therefore, if the petitioner wants to prevent any alienation of property, the petitioner has to move an appropriate application before the civil Court and seek for restraint order. When the substantial dispute is before the civil Court, the writ jurisdiction cannot be invoked for the purpose of getting an interim order. Such writ petition can never be entertained and the law on this issue is now too well settled. The power under Article 226 of the Constitution of India is an extraordinary power given to the High Court and it cannot be used for the purpose of getting interim orders pending substantial suit before the civil Court. Hence, it is left open to the petitioner to move the civil Court seeking for restraining the rival parties from dealing with the property. Except giving this liberty, no further orders can be passed in this writ petition.



WEB COPY



Writ Petition No.4887 of 2025

N. ANAND VENKATESH, J.

gm

This writ petition is disposed of in the above terms. No costs.

18.02.2025

Internet : Yes/No
Index : Yes/No
Speaking Order / Non Speaking Order
gm

To

1.The Registrar,
District Registrar Office (West),
Jalagandapuram,
Salem District.

2.The Sub Registrar,
Jalagandapuram,
Salem District.

Writ Petition No.4887 of 2025