



WEB COPY



WP No. 388 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.01.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 388 of 2025
and W.M.P.No.441 of 2025

A.C.Lakshmikanthan

... Petitioner

Vs

1 The Sub Registrar,
Office of the Sub Registrar,
Vaniyambadi.

2 Sivachandran

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking to issue Writ of Mandamus, directing the 1st respondent to consider and pass orders on the petitioner's protest petition, assigned as No. 56/ 2024 before proceeding and processing with the pending document No. 45/2024 as submitted by the 2nd respondent pending O.S.No.91/2017 on the file of the District Munsif, Vaniyambadi.

For Petitioner
For Respondent 1

: Mr.L. Chandrakumar
: Mr P. Harish,
Government Advocate



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ORDER

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This writ petition is filed for a mandamus, directing the 1st respondent to consider and pass orders on the protest petition filed by the petitioner.

2. The case of the petitioner is that he is in possession and enjoyment of the petition property. When he came to know that the 2nd respondent had registered a document with regard to the same property in his favour on the file of the Sub Registrar, Thirupathur through fabricated documents, a suit O.S.No.91/2017 was filed by the petitioner on the file of the District Munsif, Vaniyambadi wherein interim injunction was granted. Despite several suits being pending between the parties, the 2nd respondent had presented another document with respect to the same property for registration in favour of a third party before the 1st respondent who in turn had assigned the pending document No.45/2024. The petitioner's protest petition has been assigned as No.56 of 2024.

3. It is informed by the learned Government Advocate that the document is yet to be registered and the same has been allotted only a pending number.



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4. Therefore, without going into the merits of the case, the writ petition is disposed of with a direction that the 1st respondent shall consider the petitioner's protest petition and as interim orders have been obtained by him in the Civil Court against the respondents wherein the Sub Registrar has also been added as a party, the Sale Deed presented by the 2nd respondent shall not be registered. No costs. Consequently, connected miscellaneous petition is closed.

09.01.2025

Index: Yes/No
Speaking order/non-speaking order
Neutral Citation: Yes/No

To,

The Sub Registrar,
Office of the Sub Registrar,
Vaniyambadi.



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P.T.ASHA, J.,

srn

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