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IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 27-03-2025**

CORAM

**THE HONOURABLE MR JUSTICE N. ANAND VENKATESH**

**WP No. 10027 of 2025**

KALAIYARASI

Petitioner(s)

Vs

1. The District Registrar  
Saram Registration Department,  
Puducherry.

2.The Sub Registrar  
Saram Registration Department,  
Puducherry.

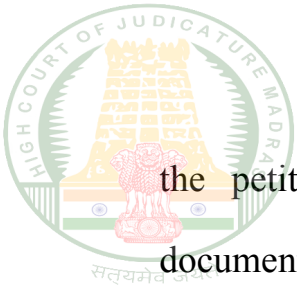
3.LATHA

4.SIVAKUAMR

5.SUNDARAM

Respondent(s)

**PRAYER** Writ Petition filed under Article 226 of the Constitution of India for  
issuance of a Writ of Mandamus, directing the respondents 1 and 2 to consider



the petitioner's representation dated 04.01.2025 and not to register any documents in respect to the petitioner's property situated in Plot No.41, Srinivasa Nagar, Thavalakuppam revenue village R.S. No.77/2 to an extent of 1800 sq.ft. within the time framed by this Court.

For Petitioner(s): Mr.K.Gandhi Kumar

For Respondent(s): Mr.Ramaswamy Meyyappan  
Government Advocate  
for R1 and R2

### **ORDER**

This writ petition has been filed for issue of writ of mandamus directing the 1<sup>st</sup> and 2<sup>nd</sup> respondents to consider the representation made by the petitioner on 04.01.2025, wherein, the petitioner has given objections before the 2<sup>nd</sup> respondent not to entertain any documents for registration pertaining to the subject property.

2.Heard Mr.K.Gandhi Kumar, learned counsel appearing on behalf of the petitioner and Mr.Ramaswamy Meyyappan, learned Government Advocate appearing on behalf of respondents 1 and 2.



3. The grievance of the petitioner is that the subject property is being dealt with the private respondents and they have no right or title to deal with the same and in spite of it, documents are being entertained by the 2<sup>nd</sup> respondent and registered. Therefore, objections were submitted to the 2<sup>nd</sup> respondent and since, the same was not acted upon, the present writ petition has been filed before this Court.

4. On going through the records, it is seen that there is a suit pending in O.S.No.199 of 2021 before the Principal District and Sessions Judge, Puducherry. Even during the pendency of the suit, it seems that the property is being dealt with. In such an event, the petitioner should only move an appropriate application in the pending suit seeking for injunction and the petitioner cannot be permitted to independently file a writ petition and seek for a relief. It will be relevant to take note of the judgement of the Apex Court in ***Kalabharati Advertising vs. Hemant Vimalnath Narichania and others*** reported in ***2010 9 SCC 437***. This judgement was subsequently followed in ***A.J.K.Fernandez vs. The Secretary-Finance, Reserve Bank of India*** –



***Operating Department, Ministry of Finance, Government of India, North***

***Block, New Delhi and others*** reported in ***2011 3 MLJ 523***. It was held that the

forum of Writ Court cannot be used for the purpose of securing an interim relief where the final relief is prosecuted before the concerned forum. In view of the above, the relief as sought for by the petitioner cannot be granted by this Court and it is left open to the petitioner to approach the concerned Court where the suit is pending and file an application seeking for the interim relief.

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

**27-03-2025**

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To  
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1. The District Registrar  
Saram Registration Department,  
Puducherry.

2. The Sub Registrar  
Saram Registration Department,  
Puducherry.



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6/6

WP No. 10027 of 2



**N.ANAND VENKATESH J.**

SSR

**WP No. 10027 of 2025**

**27-03-2025**