



Writ Petition No.11315 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 27.03.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.11315 of 2025

M.Ellavarasan
S/o.P.Munusamy
No.122A, Block Development Nagar,
Krishnagiri Main Road, Dharmapuri
Town, Dharmapuri District.

Petitioner

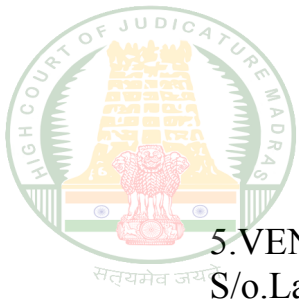
Vs

1. The District Registrar
Dharmapuri District Registrar Office,
Dharmapuri-636 701.

2.The Sub Registrar
Office of The Sub Registrar,
Palakkodu, Dharmapuri-636 808

3.BHUVIAMMAL
W/o.Govindan
No.5/134, Erranaalli,
Muthugoundankottai, Palakkodu,
Dharmapuri-636 808

4.CHITHRA
W/o.Late.Murthi,
No.5/134, Erranaalli,
Muthugoundankottai, Palakkodu,
Dharmapuri-636 808



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5.VENKATESAN

S/o.Late.Murthi

No.5/134, Erranaalli,
Muthugoundankottai, Palakkodu,
Dharmapuri-636 808

6.RAGAVENDRAN

S/o.Late.Murthi

No.5/134, Erranaalli,
Muthugoundankottai, Palakkodu,
Dharmapuri-636 808

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the 1st and 2nd respondents to dispose of the protest petition dated 13.03.2025 and 21.03.2025 in respect of the properties situated at Ernaalli village, Pallakoddu Taluk, Dharmapuri District comprised in Survey No.508/2B, present Survey No.508/2B3, present sub division survey No.508/2B3A, Survey No.508/2B3, present survey No.508/2B3, present sub division survey No.508/2B3C and survey No.504/2A present sub division survey No.504/2A2 and pass appropriate orders on merits after affording opportunity to both parties within a particular time frame to be fixed by this Court.

For Petitioner : Mr.K.Venkateswaran

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



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ORDER

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This writ petition has been filed seeking issuance of a writ of mandamus directing the respondents 1 and 2 to consider the protest petition filed by the petitioner wherein the petitioner has sought for a direction to the second respondent not to register any document pertaining to the subject property.

2. Heard Mr.K.Venkateswaran, learned counsel for petitioner and Mr.U.Baranidharan, learned Special Government Pleader appearing for respondents 1 & 2.

3. The petitioner is admittedly an agreement holder and he has also filed a suit in O.S.No.119 of 2024, which is pending on the file of District Munsif Court, Palacode. An application has also been filed by the petitioner in I.A.No.3 of 2024 and the same is also pending. While so, an attempt was made to deal with the property and hence, protest petition was given to the second respondent. Since the same was not acted upon, the present writ petition has been filed before this Court.



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N.ANAND VENKATESH, J

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4. In the considered view of this Court, the petitioner has already approached the competent civil Court and filed a suit and an application seeking interim injunction is pending. While so, without the civil Court passing any orders, there is no question of restraining the second respondent from entertaining the documents pertaining to the subject property. If any such document is registered, it is subject to the rule of *lis pendens*. Therefore, it is left open to the petitioner to establish his rights in the pending suit and press the interlocutory application filed for interim injunction not to alienate the property.

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

27.03.2025

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order

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To

1. The District Registrar

Dharmapuri District Registrar Office, Dharmapuri-636 701.

2.The Sub Registrar

Office of The Sub Registrar,

Palakkodu, Dharmapuri-636 808

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