



W.P(MD)No.4792 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED:25.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.4792 of 2023
and
WMP(MD)Nos.4469 and 4470 of 2023

Sheena
W/o. Ajaykumar

... Petitioner

Vs.

1. The District Registrar (Administration),
Office of the Registration Department,
Dindigul,
Dindigul District.

2. The Sub Registrar,
Sub Registrar Office,
Nilakkottai,
Dindigul District.

3. Savithiri

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records in Nil Na.Ka. No. /2023 impugned memo dated 18.01.2023 issued by the 2nd respondent and quash the same as illegal and consequently directing the 2nd respondent to return the pending document No.45/2022 dated 29.12.2022 to the 3rd respondent.



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For Petitioner : Mr.S.Vellaichamy

For Respondents : Mr.G.Suriya Ananth (for R1 and R2)
Additional Govt. Pleader
M/s.Vijay Sathirapathy (for R3)

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the impugned memo in Nil Na.Ka. No. /2023 dated 18.01.2023 issued by the second respondent and consequently to direct the second respondent to return the pending document No.45/2022 dated 29.12.2022 to the third respondent.

2.In the impugned memo, the second respondent referred to a suit in O.S.No. 454 of 2011 on the file of the Sub Court, Dindigul. In the suit, the petitioner have lost. Therefore, the second respondent have stated that the registered Document in Doc.Nos.2662/2011, 5009/2011 and 1291/2015 are illegal.

3.However, the learned counsel appearing for the petitioner submitted that against the said suit, she had preferred an appeal in A.S.No.5 of 2023 on the file of the learned Principle District Munsif Court, Dindigul.



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4.After elaborate arguments made by the learned counsel appearing on either side, this Court is of the considered opinion that the pendency of appeal cannot create any right over the property to the petitioner. Therefore, the present impugned memo cannot be quashed. However, the rights of the parties will be determined based on the appeal. The parties may approach the appropriate authority after establishing their right in the appeal.

(*)The petitioner shall file an application before the Appellate Court seeking an interim injunction against the private respondents. However, in order to protect the interests of the petitioner, there shall be an order of interim injunction in favour of the petitioner and against the respondents herein for a period of four weeks alone.

5.With the above observations, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, the connected writ miscellaneous petitions are closed.

Sd/-

25/08/2025

(*)Corrected as per order of this Court dated 11/09/2025 made in WP(MD)No. 4792 of 2023

Sd/-

Assistant Registrar (P & A)

// True Copy //

/09/2025

Sub Assistant Registrar(CS)



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To
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1. The District Registrar (Administration),
Office of the Registration Department,
Dindigul,
Dindigul District.

2. The Sub Registrar,
Sub Registrar Office,
Nilakkottai, Dindigul District.

+1 CC to M/s.SPL GP (SR-54109[F] dated 26/08/2025)

+1 CC to M/s.S.VELLAICHAMY, Advocate (SR-57817[F] dated 12/09/2025)

W.P(MD)No.4792 of 2023
DATED :25.08.2025

TS (12/09/2025) 4P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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