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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.05.2025

CORAM

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.13909 of 2025
and
W.M.P.(MD)No.10071 of 2025

K.Soundararajan ... Petitioner

Vs.

1.The Director,
Directorate of Town and Country Planning,
Chennai.

2.The District Collector,
Office of District Collector,
Trichy District.

3.The Joint Director,
Directorate of Town and Country Planning
CWC Godown Road,
Kajamalai,
Trichy - 23.

4.The District Registrar,
Office of District Registrar,
Trichy District,
Trichy.

5.The Sub Registrar,
Office of Sub Registrar,
Thiruverumbur,
Trichy District.

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6.The Tahsildar,
Thiruverumbur Taluk,
Thiruverumbur,
Trichy District.

7. Kaethai @ T.Veeramani

8. S.Latha

9. A.M.Ashokan

10. S.V.Saravanan

11. S.S.Ravanan ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the fourth respondent to direct the fifth respondent not to entertain any document for Registration in respect of Survey No.310/5 Patta No.420 an extent of 17 Acres 50 Cents in Navalpattu Village, Thiruverumbur Taluk, Trichy District till the adjudication of the Final Decree in I.A.No.4/2022 in O.S.No.362/2021 order dated 30.11.2022 on the file of the Honourable II Additional District Judge, Trichirappalli, within the period as stipulated by this Court.

For Petitioner : Mr.A.Haja Mohideen

For R-1 to R-6 : Mr.K.S.Selvaganesan
Additional Government Pleader

O R D E R

Heard Mr.A.Haja Mohideen learned counsel for the petitioner and Mr.K.S.Selvaganesan, learned Additional Government Pleader for the respondents 1 to 6.

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2. Mr.A.Haja Mohideen learned counsel for the petitioner submits that the petitioner based on the preliminary decree in a mortgage suit seeks to forbear the Sub Registrar from entertaining any documents for registration in respect of Survey No.310/5 Patta No.420 to an extent of 17 Acres 50 Cents in Navalpattu Village, Thiruverumbur Taluk, Trichy District. According to the learned counsel for the petitioner, the petitioner has moved an application for passing a final decree and the same was allowed and the petitioner is in the process of executing the same.

3. Mr.K.S.Selvaganesan, learned Additional Government Pleader for the respondents 1 to 6 would submit that the petitioner can seek relief before the Civil Court, rather than through the writ petition.

4. Considering the fact that the petitioner has to workout his remedies in accordance with the decree passed in his favour only before the competent civil court, in order to give some breathing time to the petitioner, I am inclined to pass the following order:

(i) The petitioner is at liberty to register the decree dated 30.11.2022 in I.A.No. 4/2022 in O.S.No.362/2021. The petitioner shall take necessary steps, and the

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5th respondent shall entertain any such application for registration of the decree, subject to the petitioner paying the requisite registration charges.

(ii) The said exercise shall be completed within a period of 8 weeks from the date of receipt of a copy of this order and in the interregnum period of 8 weeks, the 5th respondent shall not register any documents pertaining to subject Survey No.310/5 Patta No.420 to an extent of 17 Acres 50 Cents in Navalpattu Village, Thiruverumbur Taluk, Trichy District.

(iii) In the meantime, it shall be open to the petitioner to approach the competent civil court to obtain interim orders to safeguard his interests. The petitioner shall submit the application for registration within a period of 2 weeks from the date of receipt of a copy of this order, and the same shall be registered within a period of 6 weeks thereafter.

5. With the above directions, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

08.05.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

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P.B.BALAJI, J.

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