



W.A.(MD).No.2704 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 07.01.2025

CORAM

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.A.(MD).No.2704 of 2024
and
C.M.P.(MD).Nos.18695 and 18696 of 2024

V.Mokkayee

... Appellant/Petitioner

Vs.

1.The District Collector,
District Collector Office,
Madurai District.

2.The Sub Registrar,
Kaathakinaru Sub-Registrar Office,
Madurai District.

3.Ayyankalai

4.M.Sailesh

5.B.Pradeep Kumar

... Respondents/Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order dated 15.11.2024 made in W.P.(MD).No.27346 of 2024 on the file of this Court by allowing this Writ Appeal.



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W.A.(MD).No.2704 of 2024

For Appellant : Mr.V.Nagendran
For R-1 & R-2 : Mr.S.P.Maharajan
Special Government Pleader

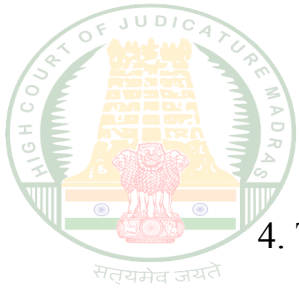
JUDGMENT

(Judgment of the Court was made by M.S.RAMESH,J.)

This Writ Appeal has been filed against the order of the learned Single Judge in W.P.(MD).No.27346 of 2024 dated 15.11.2024.

2. The findings of the Writ Court, that the Registrar cannot refuse to register any document on the ground that there is a claim from a third party over the title of the subject property, cannot be found fault with in view of several decisions of this Court.

3. In the instant case, admittedly, the appellant herein has filed a suit in O.S.No.125 of 2024 on the file of the District Munsif Court, Melur, seeking for permanent injunction against the Registrar from registering any document with respect to the property in Survey No.28/3, Y.Pudhupatti Village, Madurai East Taluk, Madurai and the same is pending.



W.A.(MD).No.2704 of 2024

4. The prayer in the Writ Petition is effectively in the nature of an interim injunction, which requires to be addressed before the Civil Court. When the suit itself is pending before the Civil Court, seeking for similar injunction before the Writ Court cannot be appreciated. In the light of these findings, we do not find any illegality in the order of the learned Single Judge.

5. Accordingly, the Writ Appeal stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

(M.S.R.,J.) (A.D.M.C.,J.)
07.01.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm

To

1.The District Collector,
District Collector Office,
Madurai District.

2.The Sub Registrar,
Kaathakinaru Sub Registrar Office,
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W.A.(MD).No.2704 of 2024

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A.D.MARIA CLETE,J.

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W.A.(MD).No.2704 of 2024

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