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W.P.(MD)NO.32568 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.11.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.32568 of 2025

K.Mareeswaran

... Petitioner

Vs.

1. The District Registrar,
Sivagangai District,
Sivagangai.

2. The Sub Registrar,
Thiruppuvanam Sub Registrar,
Thiruppuvanam,
Sivagangai District.

3. K.Sumathi

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent not to entertain any deed pertaining to punja land in S.No.126/1A extent 0.56.25 ares equal to 1.40 acres situated at Thiruppuvanam Pudur Village, Thiruppuvanam Taluk, Sivagangai District during pendency of civil suit in O.S.No.85 of 2025 on the file of the Principal District Court, Sivagangai and without considering the petitioner's objection dated 13.03.2025 in receipt No.2190 of 2025.



For Petitioner : Mr.M.Ganesan
For R-1 & R-2 : Mr.S.Shanmugavel,
Additional Government Pleader.

* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Additional Government Pleader appearing for the respondents 1 and 2.

2. Issuance of notice to the third respondent is dispensed with.

3. The case of the writ petitioner is that the petition-mentioned property belonged to one Thiru.Kaveri Servai. The writ petitioner, Thiru.Kaverimanian and Thiru.Gurusamy are his sons. Kaveri passed away. The specific case of the writ petitioner is that the property is yet to be partitioned. While so, Kaverimanian had arbitrarily settled a portion of the property in favour of his wife/third respondent herein with defined boundaries. The settlement deed dated 06.03.2025 was registered as document No.1527/2025. The petitioner has subsequently filed O.S.No.85 of 2025 on the file of the Principal District Judge, Sivagangai. I.A. has



been filed to restrain the third respondent from alienating the property settling in her favour. When such a suit has already been filed before the trial Court, it may not be open to the petitioner to parallelly seek remedy in writ proceedings. Strictly speaking, writ is not maintainable. However, to render substantial justice, the following directions are issued:-

a) I.A.No.3 of 2025 has been filed by the writ petitioner to restrain the third respondent from dealing with the property. The trial Court shall dispose of the said IA on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

b) The second respondent shall not entertain any document from the third respondent till the disposal of the said IA by the trial Court.

c) The first respondent will call for explanation from the second respondent as to how the settlement deed dated 06.03.2025 executed by Kaveri was registered even though Kaveri does not appear to have any individual patta in his favour. The explanation given by the second respondent as well as further action taken by the first respondent shall be informed to the Registrar Judicial of this



Court within a period of four weeks from the date of receipt of a copy of this order.

4. I have not gone into the merits of the matter. The observations made herein as well as the directions given should be considered only as tentative in nature. The defences of the second respondent as well as the third respondent have not been foreclosed. The matter is left to the discretion of the trial Court as well the first respondent. This writ petition stands disposed of accordingly. No costs.

14.11.2025

NCS : Yes / No
Index : Yes / No
Internet : Yes/ No

PMU

To:

1. The District Registrar,
Sivagangai District,
Sivagangai.
2. The Sub Registrar,
Thiruppuvanam Sub Registrar,
Thiruppuvanam,
Sivagangai District.



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Copy to:

1. The Registrar(Judicial),
Madurai Bench of Madras High Court,
Madurai.
2. The Principal District Judge,
Sivagangai.



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G.R.SWAMINATHAN,J.

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