



W.P.(MD)No.31394 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.01.2025**

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P.(MD)No.31394 of 2024

and

W.M.P.(MD)No.26295 of 2024

Esakki

... Petitioner

/Vs./

1. The District Registrar,
Department of Registration,
District Registrar Office,
Tenkasi District.

2. The Sub Registrar,
Department of Registration,
Vasudevanallur,
Tenkasi District.

3. Sudalaiyandi Chettiyar,

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent not to register any sale transaction in between the third respondent or any other person in relation to the property situated at Vasudevanallur Village , Tenkasi District, bearing Survey No. 12C/1A1A1 measuring to an extent of 314 sq. ft. pending disposal of O.S.No. 104 of 2019 on the file of the Principal District Munsif, Sivagiri, Tenkasi District, in pursuance of the petitioners representation dated 03.12.2024 forthwith.



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For Petitioner : Mr.S.Palanivelayutham

For Respondents : Mr.M.Sarangan

Additional Government Pleader for R1&2

ORDER

This writ petition has been filed for a direction, directing the second respondent not to register any sale transaction in between the third respondent or any other person in respect of the property comprised in Survey No. 12C/1A1A1 measuring to an extent of 314 sq. ft. situated at Vasudevanallur Village, Tenkasi District.

2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. The petitioner has title dispute in respect of property comprised in Survey No. 12C/1A1A1 measuring to an extent of 314 sq. ft. situated at Vasudevanallur Village, Tenkasi District, with the third respondent and also filed a suit in O.S.No.32 of 2021, before the Principal District Munsif, Sivagiri, Tenkasi District, for declaration to declare the sale deed stands in the name of the third respondent is null and void in respect of the subject property. The said suit is pending without any interim order.



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4. It seems to be a title dispute in respect of the subject property between the petitioner and the third respondent. Therefore, mere pendency of the suit, without any interim order, is not an impediment for the second respondent to register the sale deed in respect of the subject property. Therefore, the representation submitted by the petitioner cannot be considered and the writ petition is liable to be dismissed.

5. Accordingly, the writ petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

02.01.2025

Internet : Yes/No
NCC : Yes / No
LS

TO:-

1. The District Registrar,
Department of Registration,
District Registrar Office,
Tenkasi District.
2. The Sub Registrar,
Department of Registration,
Vasudevanallur,
Tenkasi District.



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3. The Principal District Munsif,
Sivagiri,
Tenkasi District.

Order made in
W.P.(MD)No.31394 of 2024

Dated:
02.01.2025