



WEB COPY

WP No. 2229 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-02-2026

CORAM

THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

WP No. 2229 of 2026

Muthusamy
S/o Kanthasamy Gounder,
Annamarkoil Street,
Kaniyalampatty,
Thevur village and post,
Sankagiri Taluk, Salem District.

..Petitioner

Vs

1. The Sub Registrar
Komarapalayam,
Namakkal District.
2. The District Registrar
Namakkal District.
3. The Revenue Divisional Officer
Sankagiri Revenue Division,
Sankagiri Town and Post,
Salem District 637 301.



4. The Tahsildar

Sankagiri Taluk,
Sankagiri Town and Post,
Salem District 637 301.

5. Indirani

W/o Mayilsamy
D. No. 113, Vellapalayam,
Koneripatti (via), Thevur village,
Kaveripatti Post,
Sankagiri Taluk,
Salem District.

6. S.G. Chandrasekaran

S/o Gurusamy Gounder,
No 1/287, Olapalayam,
Koramapalayam Amani Village,
Komarapalayam Taluk,
Namakakal District.

..Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus forbearing the 1st Respondent to register the sale deed dated 19.02.2025 executed by the 5th respondent in favour of 4th respondent, which is pending on the file of the 1st Respondent in P.No.18 /2025 till the disposal of the Appeal filed by the petitioner which is pending



before the 3rd respondent and also the suit filed by the 5th respondent in O.S. No.1030/2024, pending on the file of II Additional District Court, Salem.

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For Petitioner: Mr. B.Jawahar

For Respondents: Mr.P.Harish, Govt. Advocate for R1 to R4

Mr.R.Marudhachalamoorthy for R5 & R6

ORDER

The petitioner states that a civil suit was filed by the fifth respondent against the petitioner for a declaration that the said fifth respondent is entitled to a half share in the suit scheduled properties. It is also stated that an interim application seeking to restrain the defendant from alienating the property is pending consideration in such civil suit. While the suit remains pending, the petitioner states that the fifth respondent executed a sale deed dated 19.02.2025 in favour of the sixth respondent and presented the same for registration. After lodging a protest petition relating thereto, the present writ petition has been filed.

2. Mr.P.Harish, learned Government Advocate, accepts notice for respondents 1 to 4. Mr.R.Marudhachalamoorthy, learned counsel, accepts notice



for respondents 5 & 6.

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3. Learned counsel for the petitioner submits that third party interest would be created if the sale deed in favour of the sixth respondent were to be registered pending adjudication of the suit. He also submits that the petitioner would extend full cooperation for the expeditious disposal of the suit.

4. Learned counsel for respondents 5 & 6 counters the submission by contending that only 50% of the undivided interest is being conveyed under the sale deed and the petitioner would be protected by the doctrine of *lis pendens*.

5. Learned Government Advocate submits that the protest petition would be considered and disposed of in accordance with the Registration Rules.

6. A civil suit pertaining to the entitlement of the petitioner and the fifth respondent herein is pending on the file of the II Additional District Court, Salem. It is appropriate that the title dispute between the petitioner and the fifth respondent be decided therein and not in summary proceedings before this Court. The petitioner states that an interim application would be filed in the said suit to restrain the fifth respondent from registering the sale deed in favour of the sixth respondent or any other person pending disposal of the suit. In order to enable the petitioner to file such application and obtain relief, if so deemed fit



by the Court, the registering officer shall not effect the registration for a period of 15 days from the date of receipt of a copy of this order. The II Additional District Court, Salem shall endeavour to dispose of such application, if filed, as expeditiously as the business of the Court would permit.

7. With the above observations, the writ petition stands disposed of without any order as to costs.

05-02-2026

Index : Yes/No

Internet: Yes/No

Neutral Citation : Yes/No

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To

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Namakkal District.

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3.The Revenue Divisional officer
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SENTHILKUMAR RAMAMOORTHY, J.

KJ

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