



W.A.(MD)No.234 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.03.2026**

CORAM:

THE HONOURABLE **MR.JUSTICE N.SATHISH KUMAR**
AND
THE HONOURABLE **MR.JUSTICE M.JOTHIRAMAN**

W.A.(MD)No.234 of 2026
and
C.M.P.(MD)No.2549 of 2026

Ravikumar
represented by his power agent,
Karpagam

...Appellant

Vs.

1.The District Registrar,
Karaikudi,
Sivagangai District.

2.The Sub Registrar,
Thirupattur,
Sivagangai District.

3.Tamilseveli
4.Usharani

...Respondents

PRAYER:- Writ Appeal – filed under Clause 15 of the Letters Patent, to set aside the order dated 08.08.2025 made in W.P.(MD)No.657 of 2025 on the file of this Court.

For Appellants : Mr.S.A.Ajmalkhan
For Respondents : Mr.F.Deepak (R1 & R2)
Additional Government Pleader
Mr.T.Lenin Kumar (R4)



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JUDGMENT

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(Judgment of the Court was delivered by **N.SATHISH KUMAR, J.**)

Challenge has been made to the order of the writ Court dated 08.08.2025 in and by which the refusal check slip issued by the Sub Registrar has been set aside and the writ petitioner was permitted to deal with the subject property after the statutory period.

2.The appellant is the third party to the writ petition. He was not the party to the writ petition. He has filed this writ appeal after obtaining necessary leave from this Court.

3.The contention of the appellant is that the subject property originally belonged to one Alagu, mother of the appellant herein. The appellant and his brother, namely Ilavarasu have equal share in the said property. However, his brother, Ilavarasu has settled the property in its entirety in favour of his second wife's children. They in turn had sold the property to the writ petitioner. The appellant has already filed a suit in O.S.No.97 of 2021 on the file of the Principal District Munsif, Sivagangai in this regard and the same is pending.



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4.In the meantime, the document presented by the writ petitioner is directed to be registered by the learned Single Judge affecting the rights of the appellant herein. Hence, the appellant has preferred the present writ appeal.

5.At the outset, this Court is of view that the appellant has already filed a suit in O.S.No.97 of 2021 before the competent civil Court and the same is pending adjudication. Mere fact that a transfer has been effected in favour of the third respondent, would not take away the rights of the appellant, which are subject to the outcome of the said suit.

6.In such view of the matter, the order passed by the writ Court will not have any impact. If the appellant succeeds in the suit, his rights will be crystallized, and the mere registration of the property in the name of the writ petitioner will not take away the rights of the appellant herein.

7.It is also brought to the notice of this Court that the appellant has filed an application to implead the subsequent purchaser also. In such circumstances, if any transfer is made by the third respondent, namely the



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writ petitioner, during the pendency of the suit, the same would be hit by the doctrine of *lis pendens*. Hence, it is for the appellant to establish his case before the competent civil Court in the pending suit.

8. With the above observation, this writ appeal is disposed of. The direction of the writ Court for registration shall be complied by the authorities, since the same will only be at the risk of the third respondent and also subject to the result of the suit. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

[N.S.K., J.] & [M.J.R., J.]
03.03.2026

Index : Yes/No
Internet : Yes
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To

1. The District Registrar,
Karaikudi,
Sivagangai District.
2. The Sub Registrar,
Thirupattur,
Sivagangai District.



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