



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 25.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD) No. 6917 of 2019

and

W.M.P (MD) .No.5522 of 2019

P.Muthulakshmi

... Petitioner

Vs

1.The District Registrar,
Dindigul District,
Dindigul-624003.

2.The Sub Registrar,
Batlagundu,
Dindigul District.

3.P.Raju

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to forbear the second respondent from registering any deed of conveyance to be presented by the third respondent relating with the house plots developed in 2 Acre 92 cents in S.No.3022, 1 Acre 25 cents in S.No.3016/1, 1 Acre 32 cents in S.No.3016/2, 48 cents in S.No.3002/1A, 3 Acres 74 cents in S.No.3015/1, 3 acres 55 cents in S.No.3021, 1 Acre 70 cents in S.No.3017/1A and 5 Acres 3 cents in S.No.3024/2 in Genguvarpatti Village, Periyakulam Taluk, Theni District, till the appointment of arbitrator will be made by the Chief Justice of Madras High Court, on the basis of the partnership deed dated 01.04.2012 to resolve the dispute between the petitioner and the third respondent.

For Petitioner

: Mr.R.Suriyanarayanan

For R1 & R2

: Mr.M.Murugan

Government Advocate

ORDER

The writ petitioner can very well obtain interim relief under Section 9 of the Arbitration and Conciliation Act, 1996. The learned counsel for the petitioner states that the petitioner has already filed an application under Section 11 of the Arbitration and Conciliation Act, 1996 before the Hon'ble Chief Justice, Madras High Court, for appointing an Arbitrator. Since this process may take time, he wanted this Court to give some relief in



2. I am of the view that since an effective alternative remedy is available, the petitioner has to avail the same. The learned Principal District Judge, Theni is directed to entertain any petition filed by the petitioner under Section 9 of the Arbitration and Conciliation Act, 1996 and dispose of the same on merits and in accordance with law.

3. The Writ Petition is disposed of accordingly. It is made clear that this Court has not gone into the merits of the matter. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The District Registrar,
Dindigul District,
Dindigul-624003.

2. The Sub Registrar,
Batlagundu,
Dindigul District.

+1 CC to M/s.R.SURIYANARAYANAN, Advocate (SR-56173[F] dated 25/03/2019)

RMK

W.P. (MD) No. 6917 of 2019
25.03.2019

_KM/ (26.03.2019) 2P 4C