



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Wednesday, the First day of December Two Thousand Twenty One

PRESENT

THE HON`BLE MR.JUSTICE PARESH UPADHYAY

AND

THE HON`BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CMP.Nos.7948 and 7950 of 2021

in WA.SR.No.115933 of 2019

M.MOHAMMED RAFI

[PETITIONER IN BOTH THE PETITIONS]

Vs

1 THE INSPECTOR GENERAL OF [RESPONDENTS IN BOTH THE PETITIONS]
REGISTRATION, SANTHOME HIGH ROAD, CHENNAI-600 028.

2 THE DISTRICT REGISTRAR,
DISTRICT REGISTRATION OFFICE,
MADURAI SOUTH, 171, PALACE ROAD, MADURAI-625 001.

3 THE SUB-REGISTRAR,
JOINT-I, SOUTH, MADURAI SOUTH REGISTRATION OFFICE,
171, PALACE ROAD, MADURAI-625 001.

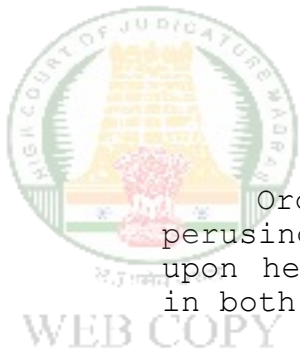
4 T.NAVANEETHAN

[PROPOSED RESPONDENTS 4 AND 5]

5 N.INDUMATHI

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased To implead the respondents 4 and 5 herein as proposed party respondents, by arraying them as respondents 4 and 5 in the above C.M.P.No.2630 of 2020 in W.A.SR.No.115933 of 2019, (in CMP.No.7948 of 2021).

ii) To implead the respondents 4 and 5 herein as proposed party respondents, by arraying them as respondents 4 and 5 in the above W.A.SR.No.115933 of 2019 (in CMP.No.7950 of 2019).



Order : These petitions coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.P.RAJA, Advocate for the petitioner in both the petitions, the court made the following order:-

(Order of the Court was made by PARESH UPADHYAY, J.)

Attention is invited to the order of this Court dated 27 July 2020 in C.M.P.Nos.7948 and 7950 of 2020 in W.A.SR.No.115933 of 2019. The respondent Nos.4 and 5 are stated to be un-served and the covers are returned with the endorsement "No such addressee".

2. Learned Advocate for the appellant states that independently he has found the new address and it is served also by registered post with acknowledgement due.

3. It is also to be noted that the respondent Nos. 4 and 5 are plaintiffs of O.S.No.722 of 2010 which is stated to be pending in III Additional Sub Court at Madurai where the present appellant is the defendant and according to him, the controversy in the said suit and the one in this appeal are to some extent inter-connected.

4. Whether any interference in the impugned order of learned Single Judge is required or not is a separate issue, which may be gone into subsequently, however the service of notice issued by this Court cannot be permitted to be avoided like this, by a litigant who is plaintiff before the Civil Court in the connected issue.

5. Under above circumstances, liberty is reserved to the present appellant to give / put appropriate application on the record of the concerned suit i.e. O.S.No.722 of 2010 in III Additional Sub Court at Madurai, placing a copy of the order of this Court dated 27 July, 2020 intimating about issuance of notice on these proceedings. The said application and endorsement thereof on the other side shall be treated to be service of notice, on the present respondent(s) who are the plaintiff(s) in the said suit.

6. List on 17.12.2021.

-sd/-
01/12/2021

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.



TO

1 THE INSPECTOR GENERAL OF REGISTRATION,
SANTHOME HIGH ROAD, CHENNAI-600 028.

2 THE DISTRICTY REGISTRAR,
DISTRICT REGISTRATION OFFICE, MADURAI SOUTH,
171, PALACE ROAD, MADURAI-625 001.

3 THE SUB-REGISTRAR,
JOINT-I, SOUTH, MADURAI SOUTH REGISTRATION OFFICE,
171, PALACE ROAD, MADURAI-625 001.

COPY TO

THE III ADDITIONAL SUBORDINATE JUDGE,
MADURAI.

Order

in
CMP.Nos.7948 and 7950 of 2021

in WA.SR.No.115933 of 2019

Date :01/12/2021

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
PA (06/12/2021)