



1

W.P.(MD)NO.222 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.01.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.222 of 2023 and
W.M.P.(MD)No.190 of 2023

Mayakkal

... Petitioner

Vs.

1. The District Registrar,
Madurai South,
Madurai District.

2. The Sub Registrar,
Chellampatti,
Chekkanoorani Taluk,
Madurai District.

3. Boominathan

4. Murugesan

5. Ameer

6. Podhumani

7. T.Rajeshkumar

8. M.Malathi

9. N.Tamilarasan

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to receive the objection letter dated



28.12.2022, conduct an enquiry affording an opportunity to the petitioner and the respondents 3 to 9 on the basis of the same.

For Petitioner : Mr.R.G.Shankar Ganesh

For R-1 & R-2 : Mr.S.Shanmugavel,
Additional Government Pleader.

* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Additional Government Pleader appearing for respondents 1 and 2.

2. Considering the nature of relief to be granted, issuance of notice to the private respondents is dispensed with.

3. The petitioner had filed O.S.No.175 of 2021 on the file of the Sub Judge, Usilampatti. It is a declaration suit. The petitioner's apprehension is that during the pendency of the suit, the private respondents who are figuring as defendants



in the suit may alienate the suit property. He has therefore given objections before the second respondent. He wants this Court to direct the second respondent to enquire into his objections.

4. There is no statutory provision or any other provision which enables the petitioner to lodge any objection of this nature. Therefore, I am not in a position to give any direction to the second respondent as prayed for. However, the learned Subordinate Judge, Usilampatti, is directed to dispose of I.A.Nos.318 and 374 of 2021 in O.S.No.175 of 2021 on merits and in accordance with law after issuing notice to the parties within a period of four weeks from the date of receipt of a copy of this order.

5. The learned counsel appearing for the petitioner states that the post of the presiding officer is presently vacant and the in-charge judicial officer comes once in a week. I am conscious of the workload of such in-charge judicial officers. However, taking into account the special facts and circumstances obtaining in this case, the in-charge judicial



officer of the Subordinate Court, Usilampatti, is directed to dispose of the aforesaid I.As. within the time stipulated above.

6. This writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

05.01.2023

Index : Yes / No

Internet : Yes/ No

PMU

To:

1. The District Registrar,
Madurai South,
Madurai District.
2. The Sub Registrar,
Chellampatti,
Chekkanoorani Taluk,
Madurai District.



WEB COPY



5

W.P.(MD)NO.222 OF 2023

G.R.SWAMINATHAN,J.

PMU

W.P.(MD)No.222 of 2023

05.01.2023