



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.11.2023

CORAM

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.7260 of 2022

and

W.M.P(MD)No.5532 of 2022

Muthulakshmi

... Petitioner

v.

1.The District Registrar,
Department of Registration,
Dindigul District,
Dindigul.

2.The Sub Registrar,
Registration Office,
Batlagundu, Dindigul District,
Dindigul.

3.P.Raju

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the second respondent herein not to register any sale agreement, deed or document with respect to the property in Survey No.3002/1A to the extent of 0.48 Acres, Survey No.3015/1, 4.95 Acres, Survey No.3016/1, 1.62 Acres, Survey No.3016/2, 1.61 Acres, Survey No. 3017/1A, 2.17 Acres, Survey No.3017/1B, 7.40 Acres at Genguvarpatti Village, Periyakulam Taluk, Theni District, till the disposal of the suit in O.S No.21 of



2017 on the file of the Principal District and Sessions Court, Theni by considering the petitioner's representation dated 30.09.2021 within a stipulated time as may be fixed by this Court.

For Petitioner : Mr.M.Jegatheesh Pandian

For Respondents : Mr.K.Balasubramani

Special Government Pleader for R1 & R2

Mr.P.Ganapathi Subamanian for R3

ORDER

Heard both sides.

2.The learned counsel for the petitioner reiterated all the contentions set out in the affidavit filed in support of the writ petition and called upon this Court to grant relief as prayed for. He relied on the order dated 23.08.2022 in I.A No.1 of 2021 in O.S No.21 of 2017. The petitioner is the plaintiff and the third respondent herein is figuring as the sole defendant. The petitioner herein wanted temporary injunction to restrain the defendant from alienating or encumbering the suit schedule properties till the disposal of the suit. The I.A was also allowed. The third respondent states that he has no intention to breach the said interim order. The said submission made by the third respondent is recorded. If prior to the passing of the said order, the third



respondent had made alienation, he said injunction order cannot bind the alienees.

3.The suit is of the year 2017. The learned Principal District Judge, Theni is directed to dispose of the suit on merits and in accordance with law within a period of six months from the date of receipt of copy of this order. The learned counsel for the petitioner states that such a direction was already given but the third respondent is not cooperating for disposal of the suit. The learned Principal District Judge, Theni shall ensure that the suit in O.S No.21 of 2017 is disposed of within a period of six months. Registry to mark a copy of this order to the learned PDJ, Theni.

4.This writ petition is disposed of. No costs. Connected miscellaneous petition is closed.

20.11.2023

Index : Yes / No
Internet : Yes/ No
skm



To

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Department of Registration,
Dindigul District, Dindigul.
2. The Sub Registrar,
Registration Office,
Batlagundu, Dindigul District,
Dindigul.
3. The Principal District Judge, Theni.



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G.R.SWAMINATHAN, J.

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