



W.P.(MD).No.19159 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 02.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

**W.P.(MD).No.19159 of 2021
and
W.M.P.(MD).No.15910 of 2021**

P.Sivakumar

... Petitioner

Vs.

1.The Sub Registrar,
Sub Registrar Office,
Sathankulam,
Thoothukudi District.

2.S.Alice Rahini

3.S.Margaret

4.S.Raja Selvi Daisy Rani

5.S.Maliys

6.S.Johnson

... Respondents

*(R-2 to R-6 are impleaded vide Court Order dated 12.08.2022 in
W.M.P.(MD).No.18638 of 2021 in W.P.(MD).No.19159 of 2021)*



W.P.(MD).No.19159 of 2021

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to register and release the document registered as P.25/2009 pending on the file of the respondent office in view of the Judgment and Decree dated 06.09.2021 made in O.S.No.20 of 2021 within the period that may be stipulated by this Court.

For Petitioner : Mr.M.Ajmal Khan,
Senior Counsel,
For M/s.Ajmal Associates

For R-1 : Mr.B.Saravanan,
Additional Government Pleader.

For R-2 : Mr.A.Ajith Geethan

For R-3 : Mr.B.N.Raja Mohamed

ORDER

This Writ Petition is filed for Mandamus, directing the first respondent to register and release the document registered as P.25/2009 pending on the file of the respondent office in view of the Judgment and Decree dated 06.09.2021 made in O.S.No.20 of 2021.



W.P.(MD).No.19159 of 2021

WEB COPY 2. The 1st respondent has declined to register the document by citing the Judgment and Decree dated 06.09.2021 passed in O.S.No.20 of 2021.

3. Based on the Judgment and Decree the petitioner has filed this Writ Petition for Mandamus to register the document. It is seen that the said Judgment and Decree is an exparte Judgment and Decree. Pending Writ Petition, the respondents have filed Interlocutory Application in I.A.No.1 of 2022 to set aside the exparte Judgment and restore the suit and the same is pending on the file of Sub Court, Thiruchendur.

4. Therefore, the Sub Court, Thiruchendur is directed to dispose of the aforesaid Interlocutory Application within a period of six (6) weeks from the date of receipt of a copy of this order. In case of restoration of suit, the suit shall be completed within a period of eight (8) months therefrom.

5. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.



WEB COPY



W.P.(MD).No.19159 of 2021

02.08.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Nsr

To

The Sub Registrar,
Sub Registrar Office,
Sathankulam,
Thoothukudi District.

Copy To

The Sub-ordinate Judge,
Thiruchendur.



WEB COPY



W.P.(MD).No.19159 of 2021

S.SRIMATHY, J.

Nsr

W.P.(MD).No.19159 of 2021

02.08.2023



WEB COPY



W.P.(MD).No.19159 of 2021