



W.A(MD)No.72 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.02.2024

CORAM:

**THE HONOURABLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE P.DHANABAL**

**W.A(MD)No.72 of 2024
and
CMP(MD)Nos.716 and 1945 of 2024**

Mariammal

... Appellant

-vs-

1. Valliammal

2. The Sub Registrar,
Kariapatti Sub Registrar Office,
Virudhunagar District.

...Respondents

PRAYER: Appeal filed under Clause 15 of Letters patent, against the order dated 11.12.2023 made in Review Application.W(MD)No.244 of 2023 in W.P(MD)No.25200 of 2023 on the file of this Court.

For Appellant	: Mr.K.Dinesh
For R1	: Mr.S.Balamurugan
For R2	: Mr.S.Shanmugavel
	Additional Government Pleader



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J U D G M E N T

[Judgment of the Court was made by The Hon'ble CHIEF JUSTICE]

We have heard Mr.K.Dinesh, learned counsel appearing for the appellant, Mr.S.Balamurugan, learned counsel appearing for the respondent No.1 and Mr.S.Shanmugavel, learned Additional Government Pleader appearing for the respondent No.2.

2. The appellant/third party assails the order passed by the learned Single Judge dated 11.12.2023 in W.P(MD)No.25200 of 2023 and subsequent order in Review Application.W(MD)No.244 of 2023.

3. Learned counsel for the appellant submits that the learned Single Judge failed to consider the preliminary decree in favour of the appellant's husband in Survey No.2/1. The respondent No.1/writ petitioner is claiming right pursuant to the partition deed in respect of Survey No.2/1B, Old Survey No.2/1. The said aspect was not considered by the learned Judge.

4. The learned Single Judge observed that the partition deed was presented for registration. The revenue record is in favour of the executants of



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the partition deed as such the Sub Registrar cannot refuse the registration.

However, the present appellant was granted time of six weeks to obtain interim orders from the jurisdictional Civil Court. The said time was further extended in the review petition.

5. In the light of that, we do not find any case for interference. However, the time of six weeks granted by the learned Single Judge is extended by a further period of four weeks from today. Needless to state, on lapse of four weeks from today, the said time granted by the Court would automatically come to an end.

6. The Writ Appeal is accordingly disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

[S.V.G., C.J.]

[P.D.B., J.]

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Index : Yes / No
Neutral Citation : Yes / No
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THE HONOURABLE CHIEF JUSTICE
and
P.DHANABAL, J.

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To:

The Sub Registrar,
Kariapatti Sub Registrar Office,
Virudhunagar District.

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