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Review Application Writ (MD).No.6 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.01.2025

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Review Application Writ (MD).No.6 of 2025
and
W.M.P.(MD).Nos.1329 & 1331 of 2025

M.Sugumar

... Petitioner

Vs.

1.Alagappan

2.Kathan

3.Nachammal

4.The Inspector General of Registration,
Cathedral Road, Santhome,
Chennai.

5.The District Registrar,
District Registrar Office,
Karaigudi, Sivagangai District.

6.The Sub Registrar,
Sub Registrar Office,
Ponnamaravathy,
Pudukkottai District.

... Respondents



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PRAYER : Review Petition filed under Order 47 Rule 1 of C.P.C., read with Under Section 114 of C.P.C., to review the order dated 14.10.2024 made in W.P.(MD).No.23926 of 2024.

For Petitioner : Mr.H.Thayumanaswamy

For Respondents : No appearance

ORDER

The present Review Petition has been filed to review the order dated 14.10.2024 made in W.P.(MD).No.23926 of 2024.

2. The contention of the learned counsel for the review petitioner is that the subject property is the absolute property, belonged to the review petitioner, which has been suppressed by the respondents 1 to 3. It is further contended that the Suit in O.S.No.98 of 2020 was already filed by the respondents for Declaration of title, in which, the injunction sought for by them is also negatived. Suppressing all these facts, the respondents 1 to 3 have obtained orders from this Court and pursuant to the orders of this Court, a Settlement Deed came to be registered. Therefore, according to the



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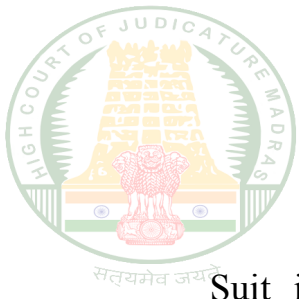
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petitioner, the order of this Court dated 14.10.2024 made in W.P.(MD).No. 23926 of 2024 has to be reviewed.

3. Heard the learned counsel for the petitioner. Despite the name of the counsel for the respondents printed in the cause list, there is no representation on behalf of the respondents.

4. This Court vide order dated 14.10.2024 in W.P.(MD).No.23926 of 2024, directed to set aside the refusal check slip issued by the respondents on the ground that mere pendency of the protest petition is not a ground to reject the Registration. Pursuant to the order, now it appears that Settlement Deed is also registered by the respondents.

5. The learned counsel for the petitioner made a submission that the suit is already pending in this regard. Mere registration of the Settlement Deed will not give absolute title to the respondents. The title of the respondents has to be seen independently in the pending suit. Therefore, the District Munsif Court cum Judicial Magistrate, Ponnamaravathy, where the



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Suit in O.S.No.13 of 2023 appears to be pending, has to decide the title of the parties independently without reference to the Settlement Deed.

6. The District Munsif cum Judicial Magistrate, Ponnamaravathy, shall also take note of all the Revenue records in respect of the properties and decide the same. Till the disposal of the suit, the parties are refrained from making any further alienations in the properties.

7. With the above observations, the review petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

21.01.2025

Index : Yes / No
Speaking Order : Yes / No
Neutral Citation : Yes / No
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N.SATHISH KUMAR, J.

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